

## 1 HOUSE BILL NO. 484

2 INTRODUCED BY C. SQUIRES

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE PROVISION OF ABSENTEE BALLOTS  
5 FOR SUBSEQUENT ELECTIONS IS BASED ON ANNUAL VERIFICATION OF ADDRESSES AND IS NOT  
6 PERMANENT; AMENDING SECTIONS 13-13-212 AND 13-21-210, MCA; AND PROVIDING AN IMMEDIATE  
7 EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 13-13-212, MCA, is amended to read:

12 **"13-13-212. Application for absentee ballot -- special provisions -- annual absentee ballot list.**

13 (1) (a) Except as provided in subsection (1)(b), an elector may apply for an absentee ballot by using a  
14 standardized form provided by rule by the secretary of state or by making a written request, which must include  
15 the applicant's birth date and must be signed by the applicant. The request must be submitted to the election  
16 administrator of the applicant's county of residence within the time period specified in 13-13-211.

17 (b) A person who holds a power of attorney from an absent uniformed services elector may apply for an  
18 absentee ballot for that election on behalf of the uniformed services elector. The applicant shall provide a copy  
19 of the power of attorney authorizing the request for an absentee ballot along with the application.

20 (2) (a) If an elector requests an absentee ballot because of a sudden illness or health emergency, the  
21 application for an absentee ballot may be made by written request signed by the elector at the time that the ballot  
22 is delivered in person by the special absentee election board provided for in 13-13-225.

23 (b) The elector may request by telephone, facsimile transmission, or other means to have a ballot and  
24 application personally delivered by the special absentee election board at the elector's place of confinement,  
25 hospitalization, or residence within the county.

26 (c) A request under this subsection (2) must be received by the election administrator within the time  
27 period specified in 13-13-211(2).

28 (3) An elector who has made a request for an absentee ballot by one of the methods provided in this  
29 section may, in the event of the death of a candidate after the primary election but before the general election,  
30 make a request for a replacement ballot. The request for a replacement ballot may be made orally to the election

1 administrator.

2 (4) (a) An elector may at any time request to be mailed an absentee ballot for each subsequent election  
3 in which the elector is eligible to vote or only for each subsequent federal election in which the elector is eligible  
4 to vote for as long as the elector remains qualified to vote and resides at the address provided in the initial  
5 application.

6 (b) The election administrator shall annually mail a forwardable address confirmation form ~~in January~~  
7 ~~of each year~~ to each elector who has requested an absentee ballot for subsequent elections. The address  
8 confirmation form must be mailed in January. The address confirmation form is for elections to be held between  
9 February 1 following the mailing through January of the succeeding year. The elector shall sign the form, indicate  
10 the address to which the absentee ballot should be sent, and return the form to the election administrator. If the  
11 form is not completed and returned, the election administrator shall remove the elector from the ~~register of~~  
12 ~~electors who have requested an absentee ballot for each subsequent election~~ annual absentee ballot list.

13 (c) An elector who has been removed from the ~~register~~ annual absentee ballot list may subsequently  
14 request to be mailed an absentee ballot for each subsequent election."  
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16 **Section 2.** Section 13-21-210, MCA, is amended to read:

17 **"13-21-210. Application for absentee ballots.** (1) (a) A United States elector may apply for a regular  
18 absentee ballot as follows:

19 (i) by making a written request, which must include the elector's birth date and signature; or

20 (ii) by properly completing, signing, and returning to the election administrator the federal post card  
21 application.

22 (b) A person who holds a power of attorney from an absent uniformed services elector may apply for an  
23 absentee ballot for that election on behalf of the uniformed services elector. The applicant shall provide a copy  
24 of the power of attorney authorizing the request for an absentee ballot along with the application.

25 (2) An application for a regular absentee ballot must be received by the appropriate county election  
26 administrator by the time specified in 13-2-304 for late registration.

27 (3) An application under this section is valid for all state and local elections in the calendar year in which  
28 the application is made and the next two regularly scheduled federal general elections unless an elector requests  
29 to be mailed an absentee ballot for each subsequent election in which the elector is eligible to vote or only for  
30 each subsequent federal election in which the elector is eligible to vote for as long as the elector remains eligible

1 to vote and resides at the address provided in the initial application.

2 (4) If an elector fails to provide the address confirmation required by 13-13-212, the elector ~~will~~ must be  
3 removed from the ~~permanent~~ annual absentee ballot list. An elector who is removed from the ~~permanent~~ annual  
4 absentee ballot list will continue to receive absentee ballots during the period covered in the elector's initial  
5 application under this section.

6 (5) The elector's county election administrator shall provide the elector with a regular absentee ballot  
7 for the elections described in subsection (3) as soon as the ballots are printed."

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9 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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