

HOUSE BILL NO. 51

INTRODUCED BY G. CUSTER

BY REQUEST OF THE SECRETARY OF STATE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ELECTRONIC VOTER REGISTRATION FOR QUALIFIED MONTANA ELECTORS POSSESSING A VALID DRIVER'S LICENSE OR STATE-ISSUED IDENTIFICATION CARD; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 13-2-109 AND 13-2-205, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 13-2-109, MCA, is amended to read:

"13-2-109. Rulemaking on sufficiency and verification of voter registration information. (1) The secretary of state shall adopt rules:

(a) to implement the provisions of 13-2-110, [section 2], and this section concerning how election administrators determine whether the information provided by an elector on an application for voter registration is:

- (i) sufficient to be accepted and processed; or
- (ii) insufficient to be accepted and processed;
- (b) establishing procedures for verifying the accuracy of voter registration information;
- (c) establishing standards for determining whether an elector may be legally registered or provisionally registered and the effect of that registration on identification requirements; and
- (d) establishing procedures for notifying electors about the status of their applications and registration.

(2) The rules may not conflict with 42 U.S.C. 15301, et seq., or 13-2-208."

NEW SECTION. Section 2. Electronic voter registration -- rulemaking authority. (1) An individual with a current Montana driver's license or a state identification card that was issued pursuant to 61-12-501 and who meets the requirements of 13-1-111 or 13-2-205 may submit a voter registration application electronically through a secure online system maintained by the secretary of state.

(2) An application under this section may not be made after the close of regular voter registration under



1 13-2-301.

2 (3) The electronic application must require the applicant to:

3 (a) affirmatively attest to the truth of the information provided on the application; and

4 (b) affirmatively assent to the secretary of state's use of the applicant's signature on the driver's license
5 or state identification card for voter registration purposes.

6 (4) If the applicant has affirmatively assented pursuant to subsection (3)(b), the secretary of state shall
7 obtain from the state agency responsible for issuing the driver's license or state identification card a digital copy
8 of the applicant's signature.

9 (5) The provisions of 13-2-110(5) through (8) apply to voter registration applications under this section.

10 (6) The secretary of state shall adopt rules that provide any additional measures necessary to ensure
11 the accuracy, integrity, and security of voter registration applications and signatures submitted electronically.

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13 **Section 3.** Section 13-2-205, MCA, is amended to read:

14 **"13-2-205. Procedure when prospective elector not qualified at time of registration.** An individual
15 who is not eligible to register because of residence or age requirements but who will be eligible on or before
16 election day may apply for voter registration pursuant to 13-2-110 or [section 2] and be registered subject to
17 verification procedures established pursuant to 13-2-109."

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19 NEW SECTION. **Section 4. Codification instruction.** [Section 2] is intended to be codified as an
20 integral part of Title 13, chapter 2, part 2, and the provisions of Title 13, chapter 2, part 2, apply to [section 2].

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22 NEW SECTION. **Section 5. Effective date.** [This act] is effective January 1, 2018.

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