

# VOTER IDENTIFICATION

## LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the introduced bill. The other information is available by selecting the Additional Bill Links hyperlink at the top of the bill and then the link “Status of this Bill.”

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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## Background Materials and Research

**Topic Summary:** [Section 13-2-110\(3\) and \(4\), MCA](#), provides the identification requirements an individual must meet to be registered to vote in Montana:

“(3) Except as provided in subsection (4):

- (a) an applicant for voter registration shall provide the applicant's Montana driver's license number; or
- (b) if the applicant does not have a Montana driver's license, the applicant shall provide the last four digits of the applicant's social security number.

(4) (a) If an applicant does not have a Montana driver's license or social security number, the applicant shall provide as an alternative form of identification:

- (i) a current and valid photo identification, including but not limited to a school district or postsecondary education photo identification or a tribal photo identification, with the individual's name; or
  - (ii) a current utility bill, bank statement, paycheck, government check, or other government document that shows the individual's name and current address.
- (b) The alternative form of identification must be:
- (i) an original version presented to the election administrator if the applicant is applying in person; or
  - (ii) a copy of any of the required documents, which must be enclosed with the application, if the applicant is applying by mail.”

[Section 13-13-114\(1\)\(a\), MCA](#), provides identification requirements an individual must meet to receive a ballot at a polling place: “(1) (a) Before an elector is permitted to receive a ballot or vote, the elector shall present to an election judge a current photo identification showing the elector's name. If the elector does not present photo identification, including but not limited to a valid driver's license, a school district or postsecondary education photo identification, or a tribal photo identification, the elector shall present a current utility bill, bank statement, paycheck, notice of confirmation of voter registration issued

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pursuant to [13-2-207](#), government check, or other government document that shows the elector's name and current address.” The rest of the section discusses procedures used to allow the elector to vote at the polling place or to allow the elector to vote using a provisional ballot if the elector doesn’t possess the required identification.

### Other Materials:

[Voter Identification Requirements – Voter ID Laws](#) -- National Conference of State Legislatures

## Introduced Legislation

### 2021

[SB 169](#) – Chapter Number Assigned – AN ACT GENERALLY REVISING VOTER IDENTIFICATION LAWS; REVISING CERTAIN IDENTIFICATION REQUIREMENTS FOR VOTER REGISTRATION, VOTING, AND PROVISIONAL VOTING; AMENDING SECTIONS 13-2-110, 13-13-114, 13-13-602, AND 13-15-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

### 2019

[SB 366](#) – Died in Standing Committee – AN ACT REFERRING TO THE QUALIFIED ELECTORS OF MONTANA AN ACT REVISING LAWS ON VOTER IDENTIFICATION; REQUIRING CERTAIN IDENTIFICATION DOCUMENTS BE PRESENTED WHEN VOTING AT A POLLING PLACE, RECEIVING AN ABSENTEE BALLOT IN PERSON, OR RETURNING AN ABSENTEE BALLOT IN PERSON; PROVIDING FOR A FREE MONTANA IDENTIFICATION CARD FOR CERTAIN INDIVIDUALS; AMENDING SECTIONS 13-13-114, 13-13-222, 13-35-704, AND 61-12-504, MCA; AND PROVIDING AN EFFECTIVE DATE.

### 2017

[HB 357](#) – Died in Standing Committee – AN ACT STRENGTHENING LAWS RELATED TO VOTER IDENTIFICATION; REQUIRING AN INDIVIDUAL TO SHOW A PHOTO IDENTIFICATION BEFORE VOTING AT A POLL OR APPLYING TO VOTE BY ABSENTEE BALLOT; PROVIDING EXEMPTIONS; REQUIRING THE SECRETARY OF STATE TO CREATE OR REVISE CERTAIN VOTER REGISTRATION FORMS; ELIMINATING THE FEE FOR AN IDENTIFICATION CARD FOR CERTAIN INDIVIDUALS; AND AMENDING SECTIONS 13-1-210, 13-13-114, 13-13-201, 13-13-212, 13-13-602, 13-15-107, AND 61-12-504, MCA.

### 2015

None

### 2013

[HB 108](#) – Died in Standing Committee – AN ACT REVISING REGISTRATION AND PROOF OF IDENTITY REQUIREMENTS FOR VOTING; REQUIRING PHOTO IDENTIFICATION; ELIMINATING THE FEE FOR AN IDENTIFICATION CARD FOR CERTAIN INDIVIDUALS; AND AMENDING SECTIONS 13-1-111, 13-2-110, 13-2-115, 13-2-116, 13-2-514, 13-13-114, 13-13-201, 13-13-301, 13-13-602, AND 61-12-504, MCA.

### 2011

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[HB 152](#) – Vetoed by Governor – AN ACT REVISING PROOF OF RESIDENCY REQUIREMENTS FOR VOTER REGISTRATION AND PROOF OF IDENTITY REQUIREMENTS FOR VOTING; AND AMENDING SECTIONS 13-2-110, 13-13-114, 13-13-201, AND 13-13-602, MCA.

### 2009

[HB 99](#) – Died in Standing Committee – AN ACT REVISING PROOF OF RESIDENCY REQUIREMENTS FOR VOTER REGISTRATION AND IDENTIFICATION REQUIREMENTS FOR VOTING; AND AMENDING SECTIONS 13-2-110 AND 13-13-114, MCA.

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