



**Montana Legislative Services Division**  
**Legal Services Office**

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**TO:** State Administration and Veterans' Affairs Interim Committee

**FROM:** K. Virginia Aldrich

**DATE:** September 22, 2021

**RE:** Legislative Administrative Rule Review Report

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Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 44-2-247

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION:** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Eligibility of Applicants to be Issued and Cast a Ballot

**NOTICE DESCRIPTION:** (e.g., proposal notice/adoption notice): Notice of Public Hearing on Proposed Amendment

**SUMMARY OF RULE(S):**

The Secretary of State proposes to amend one rule by providing that after an individual satisfies the voter registration qualifications provided in statute, the voter may obtain and cast a ballot "pursuant to 13-2-205, MCA." The cited section was revised by Chapter 531, L. 2021, to prohibit a ballot from being issued to or cast by an individual who does not meet the age and residence requirements.

**NOTES:** A public hearing will be held on October 14, 2021, at 10 a.m., Secretary of State's Office Conference Room, Room 260, State Capitol Building, Helena, Montana. The public comment period ends on October 22, 2021.

**FULL TEXT OF NOTICE:** Once published (September 24, 2021), the full text of the proposal notice and the amended proposal may be found online at <https://rules.mt.gov/>.