



Montana Legislative Services Division

Legal Services Office

PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

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

**FROM:** Andria Hardin

**DATE:** January 23, 2024

**RE:** Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, 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:** 44-2-274

**AGENCY/BOARD:** Secretary of State

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

**SUBJECT:** Ballot Form and Uniformity

**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 ARM 44.3.2408 to update the date of the Ballot Layout Guide, adopted and incorporated by reference, that is published on the Secretary of State's website to the most recent version dated January 16, 2024. This most recent version specifies that a range of stub numbers printed on ballots may be designated for use as provisional ballots.

**NOTES:** A public hearing will be held on February 20, 2024 at 3:00 p.m. in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana. The public comment period ends on February 23, 2024 at 5:00 p.m.

**STAFF COMMENT:** The Secretary of State has provided notice of this proposed amendment to the State Administration and Veterans' Affairs Interim Committee (SAVA) as required; however, it will not be published in the Montana Administrative Register until after SAVA's next scheduled meeting. Expected publication is January 26, 2024, at which time the currently published Ballot Layout Guide dated November 28, 2024 on the Secretary of State's website will be adopted and the proposed amendment of the most recent version dated January 16, 2024 will be provided as a "draft" on the website. Staff has no comment and finds no issue under the Montana Administrative Procedure Act with this timeframe for publication and proposed amendment. The Secretary of State's website where the Ballot Layout Guide may be accessed is <https://sosmt.gov/Elections/official-forms/#36-39-ballot-layout>.

**FULL TEXT OF NOTICE:** This rule has been submitted for publication in the Montana Administrative Register but has not been published as of the date this report. Once published, the full text of the proposal notice may be found online by searching for “44-2-274” in the box labeled “Search by Notice No.” found at <https://rules.mt.gov/default.asp>.