

Senate Bill 429

In The Senate

February 11, 1981

Introduced and referred  
to Committee on State  
Administration.

Fiscal note requested.

February 16, 1981

Committee recommend bill  
do not pass.

1 *Senate* BILL NO. *429*  
 2 INTRODUCED BY *Cole Berg* *Wally Smith* *Hogan*  
 3 *Ryan Lee* *Eric* *VINCENT* *J. Jackson* *Norman*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND  
 5 FACILITATE THE VOTING PROCESS BY PROVIDING FOR A UNIFORM  
 6 VOTER REGISTRATION FORM AND A UNIFORM REQUEST FOR AN  
 7 ABSENTEE BALLOT FORM; PROVIDING THAT ANY REGISTERED ELECTOR  
 8 IN THE STATE OF MONTANA MAY REGISTER ELIGIBLE PERSONS TO  
 9 VOTE; AND LIMITING THE CIRCUMSTANCES WHEN AN ABSENTEE BALLOT  
 10 MAY BE REJECTED; AMENDING SECTIONS 13-2-112, 13-2-203,  
 11 13-13-204, 13-13-212, AND 13-13-243, MCA."

12  
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 13-2-112, MCA, is amended to read:  
 15 "13-2-112. Register of electors to be kept. Each  
 16 election administrator shall keep an official register of  
 17 electors in the manner he considers most efficient. The  
 18 original signed registration form for each elector shall be  
 19 filed alphabetically in a separate file for each precinct.  
 20 Additional files and records may be established for  
 21 convenience. The information recorded in the official  
 22 register of electors and the design of the registration  
 23 forms shall be prescribed by the secretary of state  
 24 according to [section 2]."

25 NEW SECTION. Section 2. Uniform registration cards.

1 (1) A uniform registration card shall be designed and  
 2 printed by the secretary of state and purchased at cost by  
 3 all counties in the state of Montana for use in registering  
 4 electors. The card shall include:

5 (a) a section containing spaces for the following  
 6 information to be filled in by the elector:

- 7 (i) name, address, and telephone number;
- 8 (ii) county of residence;
- 9 (iii) social security number;
- 10 (iv) city and state where last registered;
- 11 (v) signature;

12 (b) a section containing space for the registered  
 13 elector or the registrar to fill in the registrar's name,  
 14 address, and county of registration;

15 (c) a section containing spaces for the following  
 16 information to be filled in by the county clerk and recorder  
 17 or the registrar or deputy registrar:

- 18 (i) precinct and ward;
- 19 (ii) house district, senate district, fire district,  
 20 and school district;
- 21 (iii) section, township, and range; and

22 (d) a section for a signature by a notary public or  
 23 deputy registrar.

24 (2) Voter registration cards shall be made available  
 25 to organizations as well as individuals in any number

1 requested.

2 (3) Counties that have purchased cards prior to [the  
3 effective date of this act] may use these cards in lieu of  
4 the uniform registration cards for a period of 2 years from  
5 [the effective date of this act].

6 Section 3. Section 13-13-212, MCA, is amended to read:

7 "13-13-212. Application for absentee ballot. (1)  
8 Application for absentee ballots shall be made by a written  
9 request--signed completion of the form specified in  
10 subsection (3) by the applicant and addressed by mailing the  
11 form to the election administrator of the applicant's county  
12 of residence.

13 (2) Application for an absentee ballot may be made by  
14 any elector in the United States service by the federal post  
15 card application or by any-written-request-signed completion  
16 of the form specified in subsection (3) by the applicant and  
17 addressed by mailing the form to the election administrator  
18 of the applicant's county of residence.

19 (3) The secretary of state shall design and print a  
20 form for requesting an absentee ballot and shall make this  
21 form available to counties at cost. The card shall contain  
22 space for the following information:

23 (a) name and address where residing;

24 (b) address where registered;

25 (c) telephone number;

1 (d) applicant's signature."

2 Section 4. Section 13-2-203, MCA, is amended to read:

3 "13-2-203. Registration by mail. (1) A qualified  
4 individual may register be registered to vote by any elector  
5 who is already registered in the state of Montana.  
6 Registration may be accomplished by mailing, postage paid, a  
7 properly---completed registration form completed by the  
8 individual and the registered elector or other officer  
9 empowered to administer oaths to the election administrator  
10 in the county in which he resides.

11 (2) The election administrator shall send registration  
12 forms for mail registrations to all qualified individuals  
13 requesting them and shall, in addition, arrange for the  
14 forms to be widely and conveniently available within the  
15 county. The mail registration form shall be designed as  
16 prescribed by the secretary of state.

17 (3) The elector shall complete, sign, and either  
18 verify or affirm the mail registration form before a notary  
19 public or other officer empowered to administer oaths or  
20 complete and sign the form and obtain the signature,  
21 address, and voting precinct of at least one a registered  
22 voter in the county who shall witness verify the facts  
23 stated on the registration form.

24 (4) The registration form must be received by the  
25 election administrator on or before the day of the close of

1 registration and must be returned to the administrator no  
2 later than 15 days after the date it is signed by the  
3 witness registered elector or officer before whom signed."

4 Section 5. Section 13-13-204, MCA, is amended to read:

5 \*13-13-204. Elector voting absentee ballot authorized  
6 to vote in person -- effect of absentee elector's death. (1)  
7 If an elector has voted by absentee ballot but on election  
8 day is present in the county and able to go to the polls or  
9 ~~if he returns~~ and his absentee ballot has been rejected by  
10 the judges as provided in 13-13-241, the elector may vote in  
11 person at his polling place. If voting machines or devices  
12 are used, he may vote by machine or device.

13 (2) If an elector votes by absentee ballot and dies  
14 between the time of balloting and election day, his ballot  
15 ~~does not count counts.~~

16 Section 6. Section 13-13-243, MCA, is amended to read:

17 \*13-13-243. Rejected absentee ballots. (1) The  
18 rejected ballots, the applications, and all envelopes shall  
19 be enclosed in an envelope and sealed, and the judges shall  
20 write on the envelope "rejected ballot(s) of absentee  
21 elector" (writing in the elector's name).

22 (2) The unopened absentee ballot envelope of an  
23 elector who has voted in person on election day as provided  
24 in 13-13-204 shall be marked "voted in person" and initialed  
25 by a majority of the election judges.

1 ~~(3) The unopened absentee ballot envelope of an~~  
2 ~~elector who dies before election day shall be marked "died~~  
3 ~~before election day" and initialed by a majority of the~~  
4 ~~election judges if they are notified of the death on~~  
5 ~~election day. The election administrator shall make and sign~~  
6 ~~the notation if notice of the death is received before~~  
7 ~~delivery of the absentee ballot to the polling place.~~

8 ~~(4)(2) All rejected ballots shall be placed in the~~  
9 ~~sealed package in which the voted ballots are required to be~~  
10 ~~placed and may not be opened without a court order."~~

11 Section 7. Codification instruction. Section 2 of this  
12 act is intended to be codified as an integral part of Title  
13 13, chapter 2, and the provisions of Title 13, chapter 2,  
14 apply to section 2.

-End-

## STATE OF MONTANA

REQUEST NO. 357-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received 11 February, 19 81, there is hereby submitted a Fiscal Note for S.B. 429 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

Proposed legislation provides for uniform voter registration card and uniform request for an absentee ballot form.

## ASSUMPTIONS:

1. Number of registrations and absentee ballot requests remains about the same as past years: 100,000 registrations per biennium and 25,000 absentee votes per election.
2. Language contained in proposed legislation at Section 2 (pg. 2, line 2) and Section 3 (pg. 3, line 21) allows recovery of all production and distribution costs.
3. Uniform registration card provided for in Section 2 mail registration form provided for in Section 4 are identical. Cost recovery provision applies to mail registration form.

## FISCAL IMPACT:

	<u>FY'82</u>	<u>FY'83</u>
Expenditures under current law	-0-	-0-
Expenditures under proposed legislation	<u>\$2,300</u>	<u>\$ 700</u>
Additional expenditures	\$2,300	\$ 700
Revenue under current law	-0-	-0-
Revenue under proposal	<u>\$1,000</u>	<u>\$2,000</u>
Additional revenues	\$1,000	\$2,000
NET EFFECT proposed legislation over (under) current law	(\$1,300)	\$1,300
Net Effect		\$ - 0 -

## LOCAL IMPACT:

Deletion of requirement that elector supply some information on registration (e.g., section, township and range) may result in additional expenses by local election administrators in developing this data.

Those counties holding large inventories of registration cards or absentee ballot request forms may incur expenses from 2-year provision at Section 2 (pg. 3, line 4).

*David M. Lewis*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-16-81