



**Corey Stapleton**  
MONTANA SECRETARY OF STATE

# Mail Ballot Election Process

**Montana Secretary of State, Elections Division**

State Capitol Building

1301 E. 6<sup>th</sup> Ave Room 260

PO Box 202801

Helena, MT 59620

[sosmt.gov](http://sosmt.gov) [soselections@mt.gov](mailto:soselections@mt.gov) [406-444-9608](tel:406-444-9608)



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# Quick Guide for 2019 Mail Ballot Elections

**Location of 2019 Mail Ballot Process - <https://sosmt.gov/elections/resources/>**

Deadline for Secretary of State to receive mail ballot plans, timetables, and instructions:

- Mail Ballot Plan Deadline - March 8, 2019 [MCA 13.19.205](#)
- Election day - May 7, 2019
- Mail Ballot Forms - <https://sosmt.gov/elections/resources/> - Mail Ballot Forms
- Email to: [soselections@mt.gov](mailto:soselections@mt.gov)

## Mail Ballot Laws and Rules

[http://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0190/parts\\_index.html](http://leg.mt.gov/bills/mca/title_0130/chapter_0190/parts_index.html)  
<http://www.mtrules.org/gateway/Subchapterhome.asp?scn=44%2E3.27>



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# Mail Ballot Elections

- Mail Ballot Elections are conducted by mailing ballots to eligible active and provisionally registered electors
- Mail ballot elections do not involve the use of polling places

## Overview

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Mail Ballot Election Laws and Rules

Type of Elections that May Not Be Conducted by Mail Ballot

Initiating a Mail Ballot Election

Submitting the Plan, Timetable and Instructions

Preparing Ballots

Mail Ballot Absentee Voting

Eligibility for Mail Ballots

Mailing and Receiving Ballots

Replacement, Undeliverable, and Invalid Ballots

Late Registrants, Inactive, and Reactivating Electors

Places of Deposit

Mail Ballot Forms

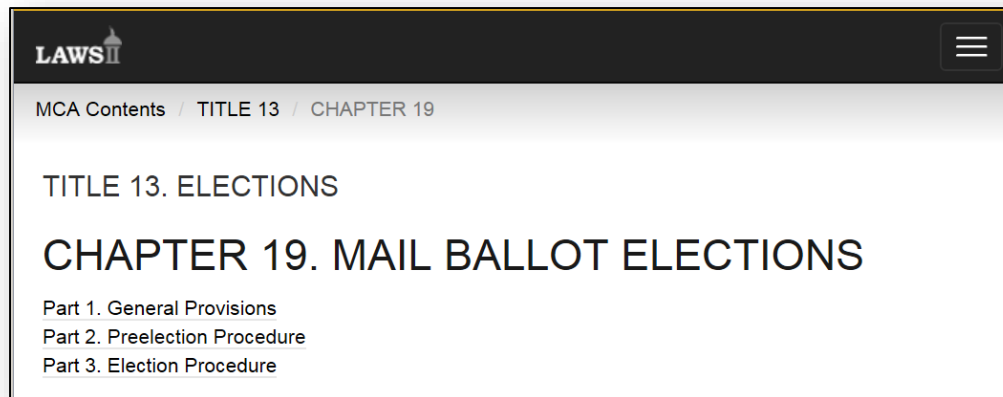
Frequently Asked Questions and Quick Guide



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# Montana Code Annotated [MCA 13-19-101](#) Mail Ballot Elections



[http://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0190/parts\\_index.html](http://leg.mt.gov/bills/mca/title_0130/chapter_0190/parts_index.html)



# Administrative Rules (ARM) [44.3.27](#) Mail Ballot Elections

Subchapter 26 Administrative Complaint Procedures			
<a href="#">44.3.2601</a>	ADMINISTRATIVE COMPLAINT PROCEDURES	REP	6/25/2010
Subchapter 27 Mail Ballot Elections			
<a href="#">44.3.2701</a>	INITIATION OF USE IN MULTICOUNTY DISTRICT		4/13/2012
<a href="#">44.3.2702</a>	PLAN SPECIFICATIONS		4/13/2012
<a href="#">44.3.2703</a>	TIMETABLE SPECIFICATIONS		4/13/2012
<a href="#">44.3.2704</a>	PROPORTIONAL VOTING		4/13/2012
<a href="#">44.3.2707</a>	VOTING BY NONREGISTERED ELIGIBLE ELECTORS		4/13/2012
<a href="#">44.3.2710</a>	DISPOSITION OF BALLOTS RETURNED AS UNDELIVERABLE		4/13/2012
<a href="#">44.3.2711</a>	PLACES OF DEPOSIT – ELECTION OFFICIAL DUTIES		4/13/2012
<a href="#">44.3.2714</a>	PROCEDURES TO SECURE BALLOTS		4/13/2012
<a href="#">44.3.2715</a>	RECORDS OF BALLOTS RECEIVED		4/13/2012
<a href="#">44.3.2716</a>	SIGNATURE VERIFICATION PROCEDURES		4/13/2012
<a href="#">44.3.2720</a>	TRANSMITTAL ENVELOPE		4/13/2012
<a href="#">44.3.2721</a>	SIGNATURE ENVELOPE		4/13/2012
<a href="#">44.3.2722</a>	SECRECY ENVELOPE		4/13/2012
<a href="#">44.3.2723</a>	INSTRUCTIONS TO ELECTORS		4/13/2012

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<http://www.mtrules.org/gateway/Subchapterhome.asp?scn=44.3.27>



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## Montana Secretary of State - Mail Ballot Elections Statutory Role

- The SOS is required by law to review and approve, disapprove or recommend changes to mail ballot plans and timetables.
- The SOS issues advisories, directives and informational memos on mail ballot election processes.



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## Montana Code Annotated (MCA) - Jurisdiction Specific

School Districts - [MCA 20-20-301](#)

Special Districts – [MCA 7-11-1002](#), [MCA 7-11-1003](#), [MCA 7-11-1011](#)

- Cemetery districts
- Museum districts
- Park districts
- Fair districts
- Solid waste districts
- Local improvement districts
- Mosquito control districts
- Multijurisdictional districts
- Road districts
- Rodent control districts
- Television districts
- Districts created for any public or governmental purpose not specifically prohibited by law.



## MCA – Jurisdiction Specific Qualified Elector Laws

### **Special Districts - [MCA 7-11-1002\(3\)\(c\)](#) - Does not include:**

- Business improvement districts
- Cattle protective districts
- Conservancy districts – [MCA 76-15-207](#) and [MCA 13-1-504\(2\)\(b\)](#)
- Water and sewer districts – [MCA 7-13-2212](#), [MCA 7-13-2325](#)
- Planning and zoning districts
- Drainage districts – [MCA 85-8-305](#)
- Grazing districts
- Hospital districts
- Irrigation districts – [MCA 85-7-1710](#)
- Library districts
- Livestock protective committee
- Parking districts
- Resort area district
- Rural improvement districts
- Special improvement districts
- Lighting districts
- Rural fire districts
- Street maintenance districts
- Tax increment financing districts
- Urban transportation districts – [MCA 7-14-210](#)
- Water conservation and flood control projects
- Weed management districts

**May include voting by electors who are not registered in the jurisdiction**





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## Additional Jurisdiction-Specific Qualified Elector Laws

- Fire Districts – [MCA 7-33-2106](#)
- Hospital Districts – [MCA 7-34-2113](#)
- Housing Authority - [MCA 7-15-4408](#)
- Local Port Authority – [MCA 7-14-1106](#)

Includes voting by electors who are not registered in the jurisdiction.

[Irrigation](#) and [Drainage](#) districts have proportional voting.



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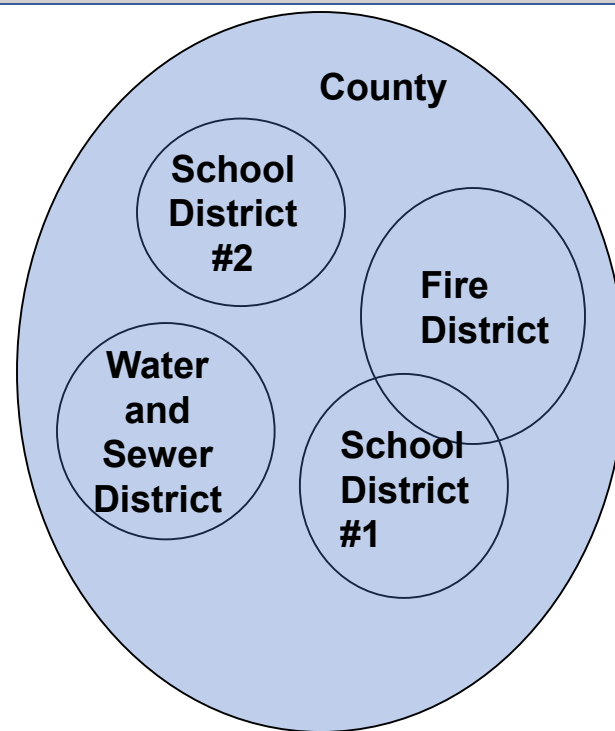
## Proportional Voting

- Proportional voting allows each elector to cast votes based on the amount of land owned by the elector within the district.
- The term “proportional voting” does not refer to voting in bond elections.



## Political Subdivision

- The term “political subdivision” refers to the specific jurisdiction, such as a fire district, water and sewer district, school district, etc.
- Even if one election in a county is being held at a polling place, other elections may be held by mail ballot in the same county on the same day.
- In cases in which the voters overlap between elections conducted on the same day, all the elections should ideally be held either by mail or at the polling place.
- Please consult with your county attorney for final decisions on interpretation of local election laws.





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## Elections that may **NOT** be conducted by Mail Ballot

- Regularly scheduled federal, state, or county elections
- A special federal or state election, unless authorized by the legislature
- A regularly scheduled or special election when another election in the political subdivision is taking place at the polls on the same day



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## Mail Ballot Elections

- Mail ballot elections are never required
- The governing body can request but not require that an election administrator conduct an election by mail ballot.
- Alternatively, the election administrator can initiate the decision to hold an election by mail ballot.
  - The governing body can object by resolution at least 55 days or more before the election; if so, the election cannot be held by mail ballot.



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## Steps to initiate a Mail Ballot Election

1. The governing body of the political subdivision passes a resolution and transmits it to the election administrator no later than 70 days before election day.
  - Within 5 days, the election administrator responds in writing granting or denying the request and specifying the reason(s)
  - If granted, the election administrator prepares the written plan and timetable
2. An election administrator can submit the mail ballot plan and timetable prior to the deadline even if the governing body has not made a request.
  - Prepare the written plan
  - Forward to the governing body
  - Include a statement with reasons
  - Inform the governing body of the right to object

The governing body can object to conducting the election by mail ballot if they pass a resolution or file with the election administrator no later than 55 days prior to election day.



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## Requirements for Submission of the Plan, Timetable and Instructions

- The plan, timetable and instructions must be received by the Secretary of State at least 60 days before the election.
- The plan, timetable and instructions may be amended up until the 35<sup>th</sup> day before the election by notifying the SOS in writing.
- The plan, timetable and instructions should be emailed to:  
[soselections@mt.gov](mailto:soselections@mt.gov)
- If you are not certain that the materials were received, please call or email to confirm receipt. [406-444-9608](tel:406-444-9608)



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# Filling Out the Plan Timetable and Instructions

- The plan, timetable and instructions can be found on the SOS website:  
<https://sosmt.gov/elections/resources/>
- Fill out each applicable item on the plan and timetable
- List specific dates
- 55 days for the governing body to opt out of the mail ballot election (Tuesday) is always a Wednesday
- Look for holidays and weekends on the timetable



# Mail Ballot Written Plan and Timetable



## Mail Ballot Written Plan, Timetable and Instructions

**MUST BE RECEIVED BY SECRETARY OF STATE NO LATER THAN 60 DAYS BEFORE ELECTION DAY. COMPLETE, SAVE AND EMAIL THIS FORM TO [SOSELECTIONS@MT.GOV](mailto:SOSELECTIONS@MT.GOV). THIS DOCUMENT MAY BE AMENDED UNTIL THE 35<sup>TH</sup> DAY BEFORE THE ELECTION. ELECTION CAN BE CANCELLED AT ANY TIME PERMITTED BY LAW. A SEPARATE PLAN MUST BE SUBMITTED FOR EACH TYPE OF ELECTION.**

Written Plan	Response
<b>1</b> Legal Name of Jurisdiction	Click here to enter text
<b>2</b> Name of County or Counties Involved	Click here to enter text
<b>3</b> Estimated # of Electors (including Active, Inactive, and Provisional in jurisdiction; Inactive voters are only provided ballots by request but should be included in estimate)	Click here to enter #
<b>4</b> Type of Election (e.g., trustee/director/governing body, levy, bond, creation, etc.)	Click here to choose one from list
<b>5</b> Postage to return ballot paid by: elector or election office (& if insufficient, who pays)	Click here to choose from list
<b>6</b> Describe procedures you will use to ensure security and transport of ballots	Ballots will be deposited in locked ballot box and secured in locked area. Any transportation of ballots will be conducted by at least two officials.
<b>7</b> Ballots will be printed based on: precinct, ward, or district	Click here to choose from list
<b>8</b> For school elections, specify signature verification procedures:	Click here to choose from list
Timetable	Date
<b>1</b> Date applicable documents sent to the governing body <i>No date set by law, but should be no later than 60 days before election. Documents include: 1) written plan; 2) statement of decision to conduct election by mail; 3) list of reasons for decision; and 4) statement regarding right of governing body to object under 13-19-204.</i>	Click here for calendar or enter a date
<b>2</b> Actual date of submission of plan, timetable, and instructions to Secretary of State <i>(Must be received by Secretary of State at least 60 days before election.)</i>	Click here for calendar or enter a date
<b>3</b> Last day for governing body to opt out of mail ballot (no later than 55 days before election – if the election is on a Tuesday, the last day to opt out is a Wednesday)	Click here for calendar or enter a date
<b>4</b> Secretary of State approves, disapproves or recommends changes to plan	Within 5 days of SOS receipt of plan
<b>5</b> County election administrator publishes notices at least 3 times in the 4 weeks before the close of regular registration specifying close of voter registration and availability of late registration <i>(For all non-school and school elections, to be published by the county election administrator at least 3 times in the 4 weeks preceding the close of registration, once per week. School clerks running school elections will need to coordinate with the county election administrator to have the county election administrator publish the notices of close of registration. 13-2-301.)</i>	Click here for calendar or enter 1st date Click here for calendar or enter 2nd date Click here for calendar or enter 3rd date
<b>6</b> Publish notice of election <i>(All non-school elections: 13-1-108, MCA; school elections: 20-20-204, MCA. For school elections, notice must be published at least once between 40 and 10 days before the election in a newspaper (if there is one in the district) and in 3 public places in the district, and for 10 days prior to the election, on the district's website, if the district has an active website)</i>	Click here for calendar or enter 1st date Click here for calendar or enter 2nd date Click here for calendar or enter 3rd date
<b>7</b> Close of regular voter registration <i>(30 days before election; move to 29 days before election when 30th day falls on a Sunday)</i>	Click here for calendar or enter a date
<b>8</b> Beginning of late voter registration (applicable to all elections) <i>(Late registration opens for all elections the day after the close of regular registration)</i>	Click here for calendar or enter a date
<b>9</b> Specific date on which ballots will be mailed <i>(No sooner than 20 days or later than 15 days before election)</i>	Click here for calendar or enter a date
<b>10</b> Election Day	Click here for calendar or enter a date

**Additional Information** (to access the sections of law below, visit <http://leg.mt.gov/bills/mca/index.html>):  
List here any special requirements from applicable laws: Water/Sewer (7-13-2212; 7-13-2325), Fire (7-33-2106), Museum (7-11-1011(5)), Cemetery (7-11-1011(5)), Drainage (85-8-305), Irrigation (85-7-1710); certain Special Districts (7-11-1011(5); defined in 7-11-1002(3)(b)).

**Affirmation:**  
By entering my name on the line below, I affirm that I will conduct the election according to the written plan and timetable for conducting the election. I understand that any undeliverable ballots must be filed securely, retained and available for electors to vote and that I must attempt to contact electors whose ballots are undeliverable. If such electors cannot be contacted otherwise, electors in odd-year elections will be mailed a notice and the guidelines in 13-19-313, MCA and ARM 44.3.2710 will be followed. (For school trustee elections: If a school trustee election is cancelled for any reason, I understand I must follow the deadlines and process in 20-3-313 MCA.)

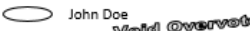
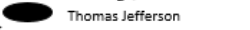

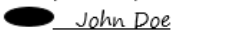




Type Name(s) Here \_\_\_\_\_  
Name(s) of Election Administrator(s) Conducting Election

Complete the above plan and timetable and the instructions below, and save and email this form to [soselections@mt.gov](mailto:soselections@mt.gov).

Updated August 3, 2017

# Mail Ballot Instructions

**INSTRUCTIONS FOR VOTING A MAIL BALLOT – PLEASE READ CAREFULLY**  
**Read carefully and follow all directions**  
**Ballots must be received by election office by 8 p.m. on Election Day**  
*Failure to follow directions may invalidate part or all of your ballot*

<p><b>1. VOTE YOUR BALLOT</b></p> <ul style="list-style-type: none"> <li>As instructed on the ballot, mark the designated voting area for each race using only <u>black or blue ink pen</u>.</li> <li>Vote in all columns and both sides of ballot(s) as applicable. <i>Skipping a race will not invalidate your ballot.</i></li> <li><b>Do not</b> cross out, erase, or use correction fluid.</li> <li><b>Do not</b> make any identifying marks on your ballot.</li> <li><b>Do not</b> mark more choices than allowed for each race (overvote) as that will cause that race only to not be counted.</li> </ul> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p style="text-align: center;"><b>SAMPLE OVERVOTED RACE FOR LOCAL COUNCIL (Vote for One)</b></p> <p style="text-align: center;">  John Doe   Thomas Jefferson   Jane Q Public         </p> </div> <ul style="list-style-type: none"> <li><i>If applicable</i>, to write in a candidate's name, mark the designated voting area to the left of the line provided and print the name in the blank space.</li> </ul> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p style="text-align: center;"><b>SAMPLE WRITE-IN VOTE (if applicable) FOR LOCAL COUNCIL (Vote for One)</b></p> <p style="text-align: center;">  </p> </div> <ul style="list-style-type: none"> <li>If you make a mistake or spoil your ballot, request a replacement ballot from the election office.</li> </ul>	<p><b>3. RETURN BALLOT</b></p> <ul style="list-style-type: none"> <li>Mail your ballot; or</li> <li>Drop off ballot:</li> </ul> <div style="text-align: right; margin-bottom: 10px;">  </div> <p>The place(s) of deposit and the days and times when ballots may be returned to the places of deposit before election day and on election day are:</p> <p style="background-color: yellow; padding: 2px;"><b>Enter here the address locations of the place(s) of deposit, the Monday through Friday hours before election day for each such place of deposit, AND the election day hours for each such place of deposit.</b></p> <hr/> <ul style="list-style-type: none"> <li>This election is by mail ballot only – regular polling places will not be open. Ballots must be <u>received at the election office by 8 p.m. on Election Day, _____</u>. <i>(Note: a postmark cannot be accepted so if you mail your ballot make sure there is enough time for it to reach the election office.)</i></li> </ul> <hr/> <p><b>DO NOT FORGET POSTAGE IF MAILING:</b>  <span style="background-color: yellow; padding: 2px;">_____</span> cents postage required</p> <div style="text-align: right; margin-bottom: 10px;">  </div> <hr/> <p><b>ASSISTANCE FOR VOTERS WITH DISABILITIES:</b> There are options for voters with disabilities. Contact your election office for information about all options.</p> <hr/> <p><b>MILITARY/OVERSEAS VOTERS:</b> If you are an active-duty absent military voter or overseas citizen, electronic registration and voting options may be available. Contact your election office for information about all options.</p> <hr/> <p><b>IF YOU HAVE QUESTIONS CONTACT THE ELECTION OFFICE AT:</b></p> <p>Phone: 406-<span style="background-color: yellow; padding: 0 20px;"> </span>          Fax: 406-<span style="background-color: yellow; padding: 0 20px;"> </span>          Email: <span style="background-color: yellow; padding: 0 20px;"> </span></p> <div style="text-align: right; margin-top: 10px;">  </div>
<p><b>2. PREPARE BALLOT FOR SUBMITTAL</b></p> <ul style="list-style-type: none"> <li>Place VOTED ballot in the <b>SECRECY ENVELOPE</b> and <b>seal</b> (if multiple sheets, return all sheets of the ballot).</li> <li><b>SIGN YOUR</b> signature on the voter affirmation on the back of the Signature Envelope. Failure to sign may invalidate your ballot.</li> <li>If the signature on the affirmation does not match the signature on file, the ballot may be rejected.</li> <li>Place the Secrecy Envelope containing your voted ballot into the Signature Envelope and Seal.</li> </ul> <div style="text-align: right; margin-top: 10px;">  </div>	



Please remember to fill in the opening and closing hours both before election day, and on election day.



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## Mail Ballot Preparation

- Mail ballots are **not** required to have **stubs**.
- The names of candidates are **rotated**, except in school elections.
- Ensure that each mail ballot packet contains only one each of the following:
  - An individually stamped official ballot or set of ballots;
  - a secrecy envelope;
  - a signature envelope; and
  - complete written instructions.



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- Ensure that each packet is:
  - addressed to a single individual elector at the most current address available in the MT Votes registration records; and
  - deposited in the United States mail with sufficient postage for it to be delivered to the elector's address.
- Mark the packet pursuant to postal regulations to ensure that, if undeliverable as addressed, it is not forwarded.



## Mail Ballot Absentee

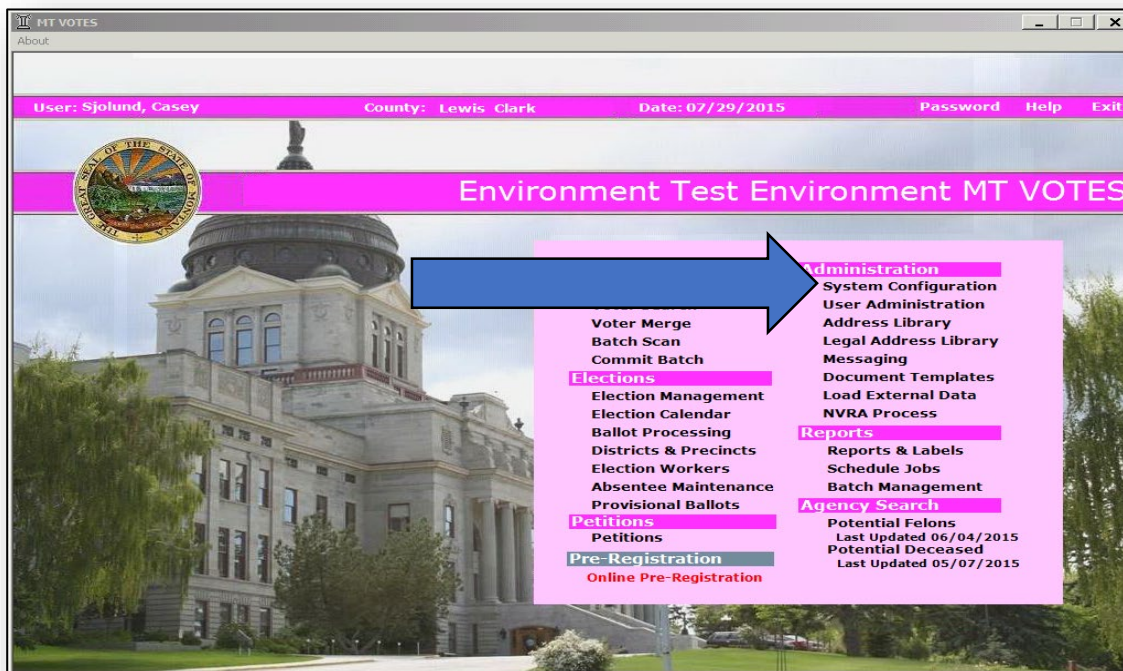
- A qualified elector who will be absent from the county during the election may:
  - vote in person in the election office as soon as ballots are available and until noon the day before the ballots are scheduled to be mailed; or
  - make a written request that the ballot be mailed to an address other than the one on their registration card.
- Written requests for absentee ballots must be accepted until noon the day before the ballots are scheduled to be mailed.
- Absentee ballots that are mailed are sent the same day that all other ballots are mailed.



# Setting up Ballot Processing

Mail ballots are primarily mailed to the county election office. You can save time by setting the **Source** to “Mail” in MT Votes.

MT Votes main screen, select **System Configuration**.





Select County Configuration and then County Parameters.

The screenshot shows the 'System Configuration' application window. On the left is a tree view with the following items: ADDRESSES, VOTER RECORD, ELECTIONS, PETITIONS, POLLING PLACE/LOCATION, ELECTION WORKERS, STATE CONFIGURATION, COUNTY CONFIGURATION (expanded), County Contacts, County Parameters (highlighted with a blue arrow), Export Voter Images, ERROR LOG, and USER SETTINGS. The main area is titled 'County Parameters' and contains a table of parameters. Below the table is a section titled 'District Types to be printed on Confirmation Card' with two columns: 'District Types' and 'Selected County District Types'. The 'Selected County District Types' column contains: PRECINCT, SENATE DISTRICT, HOUSE DISTRICT, and SCHOOL DISTRICT. A 'Save' button is at the bottom right of the main area, and a 'Close' button is at the bottom of the window.

Parameter Name	Parameter Value
Ballot Processing Records Per Page(1-6)	
Ballot Receiving Message: Ballot(s) issued af	
Ballot Receiving Message: Other ballot(s) alr	
Ballot Receiving Message: Process normally	
Ballot Receiving Message: Replacement ball	
Ballot Receiving Message: Replacement issu	
Ballot processing barcode file upload path	v:\users\CT1024\desktop\test
Batch Scan starting Number	4443

**District Types to be printed on Confirmation Card**

District Types	Selected County District Types
<input type="checkbox"/> AMBULANCE	PRECINCT
<input type="checkbox"/> CEMETERY	SENATE DISTRICT
<input type="checkbox"/> CITYWIDE	HOUSE DISTRICT
<input type="checkbox"/> COMMUNITY COUNCIL	SCHOOL DISTRICT
<input type="checkbox"/> CONGRESSIONAL	
<input type="checkbox"/> COUNTY COMMISSIONER	
<input type="checkbox"/> COUNTYWIDE	
<input type="checkbox"/> DRAINAGE	
<input type="checkbox"/> FIRE	
<input type="checkbox"/> HOSPITAL	
<input checked="" type="checkbox"/> HOUSE DISTRICT	



County Parameters window, scroll down until you get to **Default Ballot Processing Source**, then set the value to 6 (Mail). Then Click **Save**.

The screenshot shows the 'System Configuration' window with the 'County Parameters' section selected in the left-hand navigation pane. The 'County Parameters' section is highlighted in pink and contains a table of parameters. A blue arrow points to the 'Default Ballot Processing Source' parameter, which is set to the value '6'. Below the table, there is a section titled 'District Types to be printed on Confirmation Card' with two columns: 'District Types' and 'Selected County District Types'. The 'Selected County District Types' column contains a list of district types: PRECINCT, SENATE DISTRICT, HOUSE DISTRICT, and SCHOOL DISTRICT. A blue arrow points to the 'Save' button at the bottom right of the window.

Parameter Name	Parameter Value
Default Absentee Label	
Default Absentee Status for Absentee Maintenance	
Default Address Type (0 = Non-Standard, 1 = Standard)	
<b>Default Ballot Processing Source (0 = In Person, 1 = Mail, 2 = Mail and In Person)</b>	<b>6</b>
Default Election for Absentee Requests (0 = 1)	
Default ballot process signature status	
Default petition process signature status	
File Name for TIF Import	0000001.tif

**District Types to be printed on Confirmation Card**

District Types	Selected County District Types
<input type="checkbox"/> AMBULANCE	PRECINCT
<input type="checkbox"/> CEMETERY	SENATE DISTRICT
<input type="checkbox"/> CITYWIDE	HOUSE DISTRICT
<input type="checkbox"/> COMMUNITY COUNCIL	SCHOOL DISTRICT
<input type="checkbox"/> CONGRESSIONAL	
<input type="checkbox"/> COUNTY COMMISSIONER	
<input type="checkbox"/> COUNTYWIDE	
<input type="checkbox"/> DRAINAGE	
<input type="checkbox"/> FIRE	
<input type="checkbox"/> HOSPITAL	
<input checked="" type="checkbox"/> HOUSE DISTRICT	





Select **Ballot Processing** and create a new batch, the **Source** value will now default to **Mail**.

Process Ballot

[Help](#)

**Batch**

Election: 08/31/2015 MailBallotTest      Batch Description:   
Batch Date: 07/29/2015      Received Date: 07/29/2015      Identifier:

**Ballot Label**

ID:        **Ballot Search in Workspace**  
Name:   
Source:        Street:       City:

List of Ballots in the Batch  Exceptions Only

Item #	Barcode	Voter Name	Source



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## Mail Ballots Eligibility

- All qualified individuals in the political subdivision
- To be qualified, any registered electors must be either active or provisionally registered electors:
  - Inactive electors are not automatically provided with ballots; they must first reactivate.
  - Provisional registrants should be sent ballots, accompanied by the provisionally registered elector instructions and elector ID form.
- In certain elections, individuals can vote if they own property in the political subdivision, even if they are not registered electors of the political subdivision.
  - Local election statutes specify the election-specific requirements.



## Mail Ballots – Mail Information

- All mail ballots must be sent on a single day between 20 to 15 days before the election, except:
  - Ballots mailed to absent military and overseas electors (sent as soon as ballots are available)
  - Ballots mailed to electors who reactivate after the date on which ballots are mailed
  
- Ballots may be given to the following, before or after the date the ballots are mailed:
  - Late Registrants (in-person only)
  - Reactivating Electors
  - Individuals Requesting Replacement Ballots



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## Mail Ballot Handling

- Mail ballots are considered voted as soon as they are received in the County election office.
- A voted ballot is valid if:
  - it is sealed in the secrecy envelope and returned in the signature envelope (*see below if it is not placed in a secrecy envelope*)
  - the elector's signature on the affirmation on the signature envelope is verified
  - it is received before 8 p.m. on election day (except for UOCAVA Federal Write-In Absentee Ballots (FWABs), which can be received by the 6<sup>th</sup> day after election day, and electronically submitted ballots, which can be received by 5 p.m. the day after election day)
- If a voted ballot is not in a secrecy envelope, the election official places the ballot in a secrecy envelope without examining the ballot.



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## Replacement Ballots

- An elector may obtain a replacement ballot if the original ballot is destroyed, spoiled, lost, or not received by the elector.
- A request for a **replacement** ballot must be made no later than 8 p.m. on election day using a form prescribed by the Secretary of State and submitted by the elector to the election administrator:
  - in person;
  - by regular or electronic mail; or
  - by facsimile



## Replacement Ballots

- Upon receiving the sworn statement, issue a replacement ballot to the elector.
- Designate the election office, or a central location in the political subdivision in which the election is conducted, as the single location for obtaining a replacement ballot.
- Keep a record of each replacement ballot issued, and designate the original ballot as “Void” in MT VOTES.



## Undeliverable – Return to Sender Ballots

- If a mail ballot is returned undeliverable, the election administrator should **not** mail the ballot to a forwarding address on the undeliverable ballot envelope:
  - unless the elector confirms the elector's mailing address in writing or verbally.



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## Undeliverable – Return to Sender Ballots

- The election administrator should attempt to contact the elector:
  - If the elector provides a **written** updated mailing address, change the elector's address on file in MT VOTES and mail the ballot to the new address;
  - If the elector **verbally** provides a new mailing address, manually print a label for that address but do not change the elector's address in MT VOTES unless and until you receive a written confirmation.





## Undeliverable – Return to Sender Ballots

- For UOCAVA absent active duty electors, counties should contact FVAP and see if they can get a current mailing address:
  - Contact FVAP at [Vote@fvap.gov](mailto:Vote@fvap.gov), and provide the elector's full name, DOB and last four of SSN;
  - Whether or not the FVAP-supplied mailing address (if any) matches what is on USPS yellow sticker, update MT VOTES with the FVAP-supplied address and send the ballot to that address;
  - If FVAP does not respond with an address, send the ballot to the mailing address on the USPS yellow sticker, but do not update MT VOTES unless the voter confirms the address (such as by voting and returning the ballot).



## Undeliverable – Return to Sender Ballots

- If the elector cannot be contacted otherwise to update the elector's mailing address, mail an NVRA confirmation notice (only odd years):
  - By forwardable, first-class mail to the mailing address in MT VOTES, with a postage-paid, return-addressed notice.
  - If the notice is returned undeliverable, the elector must be placed on the inactive list until the elector becomes a qualified elector.



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## Undeliverable Ballots - Odd-Year Poll Elections & Even-Year Mail Elections

- If the election is an **odd-year poll election**, a county election administrator can optionally send out a notice to try to get the mailing address problem resolved, but the elector should not be inactivated through this process.
- Similarly, in **even-year mail ballot elections**, do not send out mail ballot inactivation notices, because this process will almost certainly violate the NVRA prohibition on systematic list maintenance within 90 days of a federal primary or federal general election.



# Undeliverable Ballots

To get to the undeliverable ballots section in MT Votes, start by clicking on **Ballot Processing**.

The screenshot shows the MT VOTES web application interface. At the top, there is a header with the following information: User: Sjolund, Casey; County: STATE OF MT; Date: 07/28/2015; Password; Help; Exit. Below the header is a banner for the 'Environment Test Environment MT VOTES' with the Montana State Seal on the left. The main content area features a navigation menu with the following categories and links:

- Voters**
  - Voter Registration
  - Voter Search
  - Voter Merge
  - Batch Scan
  - Commit Batch
- Elections**
  - Election Management
  - Election Calendar
  - Ballot Processing
  - Districts & Precincts
  - Election Workers
  - Absentee Maintenance
  - Provisional Ballots
- Pre-Registration**
  - Online Pre-Registration
- Administration**
  - System Configuration
  - User Administration
  - Address Library
  - Legal Address Library
  - Messaging
  - Document Templates
  - Load External Data
  - NVRA Process
- Reports**
  - Reports & Labels
  - Schedule Jobs
  - Batch Management
- Agency Search**
  - Potential Felons
  - Last Updated 06/04/2015
  - Potential Deceased
  - Last Updated 05/07/2015

A blue arrow points to the 'Ballot Processing' link under the 'Elections' category.



# Undeliverable Ballots

- Select your Election.
- Click the Undeliverable tab.
- Enter a Batch Date.
- Select New.

Receiving Ballot Batches

[Voter Search](#) [Help](#)

**Search**

Election: 09/15/2015 SOS Test

Batch Date From:  Batch Date To:

Ballots | Undeliverable

Batch #	Batch Description	Batch Date	Receive Date	Count



# Undeliverable Ballots

- Enter or scan in the ballot information from the label and click **Add**.
- Continue to do this until all ballots are scanned in or you reach your batch limit.
- Click **Save** and then click **Close**.



# Undeliverable Ballots

➤ You can see the Batch # and the total count of ballots in the batch.

Receiving Ballot Batches

Query executed successfully. [Voter Search](#) [Help](#)

Search

Election: 09/15/2015 SOS Test

Batch Date From:  Batch Date To:

Ballot Undeliverable

Batch #	Batch Description	Batch Date	Receive Date	Count
8		07/17/2015	07/17/2015	3



## Undeliverable Ballots

- After you enter in your Undeliverable ballots, you should print off either the BP-035 (Undeliverable Ballot Labels) or the EX-BP2 (Undeliverable Ballot Labels Export).
- BP-035 will provide you with labels to send out the Undeliverable Mail Ballot Notice to all the voters with undeliverable mail ballots who could not be contacted otherwise to update their mailing address.
- You should do this after each batch of Undeliverable Ballots gets entered into MT Votes, and as soon as possible after receipt of an undeliverable ballot to allow time to resolve (assuming that you could not reach the elector in order to update the elector's mailing address.)



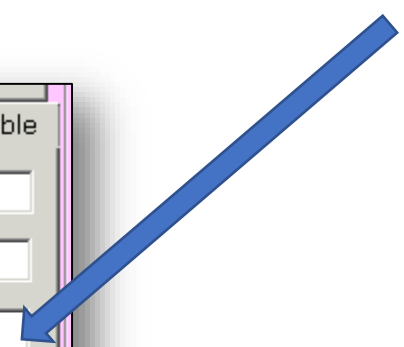


# Undeliverable Ballots

If the **odd year** Undeliverable mail ballot notices are returned as Undeliverable, track them in MT Votes

- To do this, open the voter record
- Select the Undeliverable tab
- Enter the date the undeliverable mail ballot notice was returned

Registration	Misc Info	Custom	Duplicate Req.	Undeliverable
	Undeliverable 1st NVRA Notice			<input type="text"/>
	Undeliverable 2nd NVRA Notice			<input type="text"/>
	Undeliverable Mail Ballot Notice			<input type="text"/>
	Undeliverable Voter Reg Confirmation (vcc)			<input type="text"/>
	Undeliverable 2nd VCC Notice			<input type="text"/>
Comments				<input type="text"/>





## Undeliverable Ballots

- Adding a date to the voter's **Undeliverable Mail Ballot Notice** field, as shown in the prior slide, allows you to easily search the system for voters who had an undeliverable mail ballot notice within a date range.
  - To search for these voters, simply pull up **Voter Search**, select the **Undeliverable Tab**, and put in a date range in the **Undeliverable Mail Ballot Notice field**.
- This will be useful as you can easily identify any voters who were sent a Mail Ballot notice that came back as undeliverable.
- If you use the NVRA module for inactivation (*see second bullet on following slide*), you will be able to quickly compare the lists to ensure you are not inactivating anyone who should remain active.



## Undeliverable Ballots

- If the odd year Undeliverable Mail Ballot Notice comes back as **undeliverable**, you can manually inactivate the voter with the reason of: **Undeliverable Ballot** by changing the voter's registration status.
- You can wait and use the **NVRA Module** after you have sent notices and after the election is closed, to inactivate voters whose undeliverable mail ballot notice comes back undeliverable.



Elections

1st Notice     2nd Notice

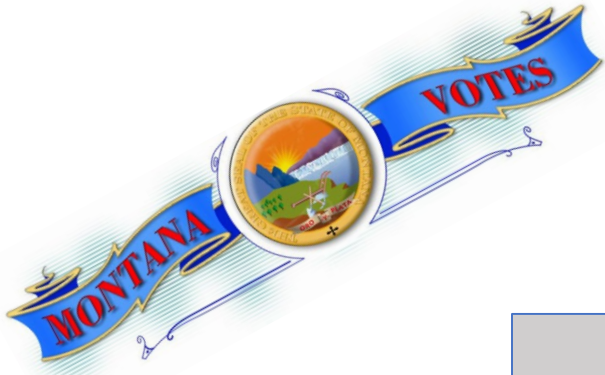
Inactivate Voters

Inactivate Voters (for undeliverable mail ballots that are not UOCAVA)

Calculate Voters

Voter Count

Change Voters Status    Print Label    Extract



## Undeliverable Ballots

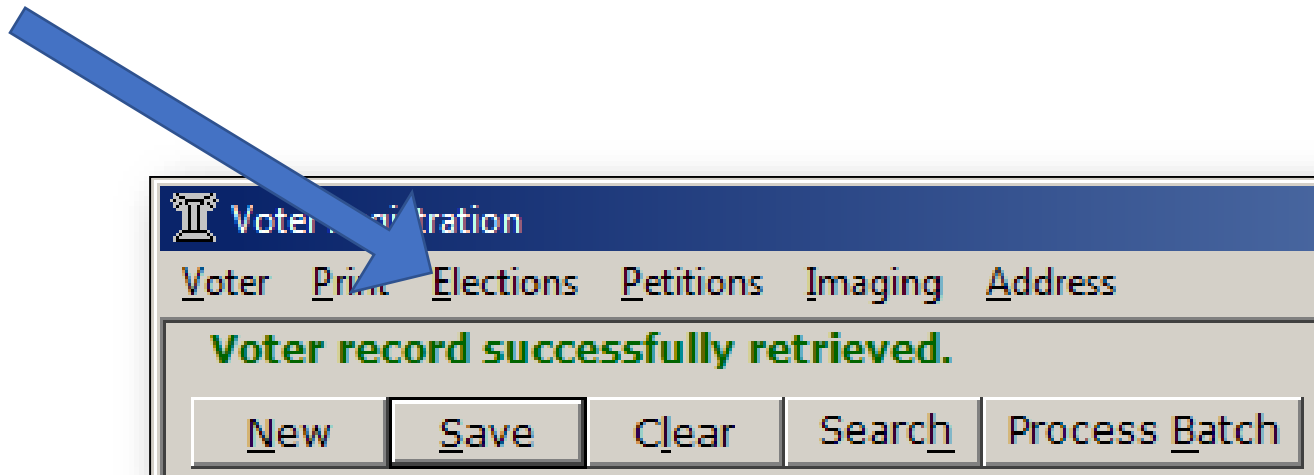
- **Important note:** If you use the NVRA Module in MT Votes for Undeliverable Mail Ballots, it will inactivate ALL voters who had an undeliverable ballot. It does not track or verify whether or not you sent a notice, as is required by NVRA.
  - It is possible for a voter to have an undeliverable mail ballot **but** not an undeliverable notice, so these people could be inadvertently inactivated.
- If you use the NVRA module for this process, it is recommended you verify each voter was sent a notice that was also returned undeliverable, by going to each voter's Undeliverable tab and checking to verify whether or not they should have been inactivated.



## Resending Undeliverable Ballots

If the voter asks for the ballot to be resent to a new address, follow these steps in MT Votes.

- Pull up the voter through Voter Search and go through Elections > Issue Ballot.





# Resending Undeliverable Ballots

When the Issue Ballot screen comes up, select **Resent-Undeliverable** as the Ballot Type, then the Label you use and the Reason for Resending. When ready, click **Print**.

Issue Ballot Request

[Voter Search](#) [Help](#)

Election Name: 9/15/2015 SOS Test    Ballot Type: Resent - Undeliverable

Current Ballots

Ballot Seq. #	County Tracking #	Sent	Received	Style	Precinct	Stage	Type
9	60	07/14/2...	07/17/2...	P24	P24	Undeliverable	Original

**Print Label**

With next Supplemental batch

Now

Select Label: 2014 GENERAL DYMO

Reason For Reissuing/Resent the Ballot: Notified by elector to mail to different address

Void Ballot Range    Change Sent Date    **Print**    RePrint    Cancel



# Resending Undeliverable Ballots

Receiving Ballot Batches

Remove undeliverable ballot from batch (8) in order to enter a Resent Address. [Voter Search](#) [Help](#)

**Search**

Election: 09/15/2015 SOS Test

Batch Date From:  Batch Date To:

Ballots: **Undeliverable**

Batch #	Batch Description	Batch Date	Receive Date	Count
8				

A blue arrow points from the '8' in the 'Batch #' column to the right.

- Select Undeliverable batch tab and remove the ballot from the batch.
- Highlight the batch number; when you do, a popup will prompt you to click **Process**.



# Resending Undeliverable Ballots

Find the voter in the batch and Delete.

**Undeliverable Ballots** [x]

Record 1 of 3 [Help](#)

**Batch**

Election:  Batch Description:

Batch Date:  Received Date:  Identifier:

**Ballot Label**

ID:

**Ballot Search**

Name:

Street:  City:

**Voter Details**

Name on Ballot:  Name in Record:

Status:  Status:

Ballot Residential Address:

Current Residential Address:

Ballot Mail Address:  Address Type:

Current Mail Address:

Inactivate  Review Registration

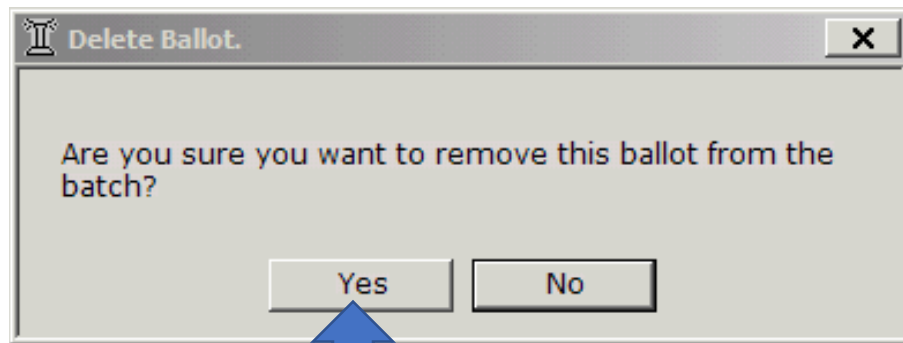






## Resending Undeliverable Ballots

- Confirm to remove the ballot from the batch.
- When you are brought back to the Undeliverable Ballot screen, select **Close**, twice.





# Resending Undeliverable Ballots

Enter Resent Details

Resent Date: 07/17/2015

Resent Address

Country: UNITED STATES OF AMERICA  USA

Address: TEST ADDRESS

City/St/Zip: HELENA MT 59601

Print Close

You will be brought back to the Resent screen.

Enter the date and address to resend the ballot to.

Print.





# Reissuing A Ballot

If you have to reissue a ballot before the system sent date, the system will prompt you to change the original ballot's sent date before you can reissue a new ballot.

**Issue Ballot Request**

[Voter Search](#) [Help](#)

Election Name: 6/7/2016 SOS Election | Ballot Type: Reissued

Current Ballots

Ballot Seq. #	County Tracking	Stage	Type
2	164	Sent	Original

**Sent Date Change**

The original ballot sent date is greater than the current date. Change the sent date to the current date.

New Sent Date:

With next Supplemental batch

Now

Select Label: 2014 GENERAL DYMO

Reason For Reissuing/Resent the Ballot: Administrative



## Invalid Mail Ballots

- A ballot is **invalid** if:
  - Ballot issues have not been resolved pursuant to [MCA 13-13-245](#)
  - Identifying marks are placed on the ballot by the elector; or
  - Signature is missing or does not match, and the issue is not resolved by the elector.
  - More than one ballot is enclosed in a single signature or secrecy envelope, unless:
    - the signature envelope contains ballots from the same household and:
      - each ballot is in its own secrecy envelope; and
      - the signature envelope contains a valid signature for each elector who has returned a ballot.



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## Late Registrations

- Late registrants who register to vote in a mail ballot election (as well as in polling place elections) are provided ballots in person, not by mail.
- People can late register in all elections, including school elections.



## Inactive Voters

- Inactive electors are not automatically sent mail ballots, unlike active and provisionally registered voters.
- Inactive electors must reactivate in person at the County Election office to request an absentee ballot, or notifying the Election Administrator in writing with a current address.



## Place of Deposit Selection

- The EA selects the election office and may designate one or more places in the political subdivision in which the election is being conducted as **places of deposit** where ballots may be returned in person by the elector or the elector's agent or designee.
- If the election office is not accessible, the EA must designate at least one accessible place of deposit.
- EAs may designate certain locations as election day places of deposit, and any such designated location must function as a place of deposit only on election day.



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## Place of Deposit

- Before election day, ballots may be returned to any designated place of deposit:
  - During the days and times set by the election administrator; and
  - Within the regular business hours of the location.
- On election day, each location designated as a place of deposit must be open during the same hours that polling places would be open, and ballots may be returned during those hours.
- Each place of deposit must be staffed by at least two election officials who (except for school election judges) are selected in the same manner as election judges.





# Place of Deposit

**Process Ballot** [X] [Help](#)

**Batch**

Election: 09/15/2015 SOS Test      Batch Description: [ ]  
Batch Date: 07/17/2015      Received Date: 07/17/2015      Identifier: [ ]

**Ballot Label**      **Ballot Search in Workspace**

ID: 453412583      Add      Name: [ ]  
Source: Mail

List of Ballots       Exceptions Only

Item #	Voter Name	Source

Details    Delete    Voter Details    Household    View Ballots    Close

When you receive a ballot from a *Place of Deposit*, select *Place of Deposit* as the source.



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## Mail Ballot Forms

<https://sosmt.gov/elections/official-forms/>

[Mail Ballot Written Plan, Timetable, and Instructions](#)

[Ballot Transmittal Envelope](#)

[Ballot Signature Envelope with Affirmation](#)

[Ballot Secrecy Envelope](#)

[Ballot Replacement Request](#)

[Mail Ballot Non-Registered Signature Verification Form](#)

[Mail Ballots Voted in Person and Replacement Ballots](#)

[Mail Ballot Place of Deposit Signature Log](#)

[Mail Ballot Daily Log of Ballots Received](#)

[Mail Ballot Place of Deposit Transport Box Seal Register](#)

[Verification of Signature/Missing Signature](#)

[Undeliverable Mail Ballot NVRA Confirmation Notice](#)



## FAQs

Q. In certain elections, is voting permitted by individuals who are **not** registered in the district?

A. Yes – [MCA 13-19-304](#) lists all requirements for these individuals.

Q. How are **absentee** voters handled in mail ballot elections?

A. Absentee ballots are sent through the normal absentee process.

Q. What is the deadline for the SOS office to receive a mail ballot plan, timeline and instructions?

A. The SOS office is required by law to accept mail ballot plans and timetables if they are received **at least** 60 days before the election.



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## Quick Guide for 2019 Mail Ballot Elections

- Deadline for [soselections@mt.gov](mailto:soselections@mt.gov) to **receive** mail ballot plans, timetables, and instructions [MCA 13-19-205](#):
  - Deadline - September 6th, 2019- at least 60 days prior to the election.
  - Election - November 5th, 2019

<https://sosmt.gov/elections/resources>

- Mail Ballot Laws and Rules
  - [http://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0190/parts\\_index.html](http://leg.mt.gov/bills/mca/title_0130/chapter_0190/parts_index.html)
  - <http://www.mtrules.org/gateway/Subchapterhome.asp?scn=44%2E3.27>