



CHRISTI JACOBSEN  
MONTANA SECRETARY OF STATE



# BALLOT ISSUE AND SIGNATURE GATHERING GUIDELINES

*The Constitution of the State of Montana guarantees the people the right to enact laws by initiative on all matters except appropriations of money and local or special laws. The Constitution also guarantees the people the right to approve or reject by referendum any act of the Legislature except an appropriation of money.*

*This publication provides a description of the process to enact laws by initiative or to submit an act of the Legislature to a vote of the people.*

*Please visit our website at [sosmt.gov](https://sosmt.gov) for more information about ballot issues, elections, and voting.*

Published by:

Montana Secretary of State, Elections & Voter Services

State Capitol Building

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

PO Box 202801

Helena, Montana 59620

[sosmt.gov](https://sosmt.gov)

[soselections@mt.gov](mailto:soselections@mt.gov)

(406) 444-9608

**Please Note:** Information on the ballot issue process is located on the Secretary of State's (SOS) website: <https://sosmt.gov/elections/>. It is the responsibility of the ballot issue proponent to ensure all applicable laws are followed, including laws governing signature gathering activities and deadline requirements. In addition to the information in these guidelines, each ballot issue proponent should periodically research the SOS website, [Title 13, Chapter 27 MCA](#), [Article III](#), [Article IV](#), and [Article XIV](#) of the [Montana Constitution in their entirety](#). The information provided is meant to assist citizens with a complicated process. The Secretary of State is unable to provide legal advice and recommends citizens consult legal counsel regarding legal questions.

## TYPES OF BALLOT ISSUES

**Initiative.** An initiative is a proposal by petition to enact a new law or revise a current law by a vote of the people on any matter except the appropriation of money, or local or special laws. If, subject to applicable laws and deadlines, the petitions are signed by the required number of electors, the proposed initiative must be submitted to the qualified electors.

**Referendum.** A referendum is a proposal by which the people, by their majority vote, can approve or reject a previously enacted statute, except an appropriation of money. A referendum may be originated by the Legislature itself or by the people.

***By the Legislature.*** At the time a piece of legislation is considered, a majority of each house of the Legislature may decide to have its action ratified by a vote of the people. This is referred to as a Legislative Referendum.

***By the people.*** After the Legislature enacts a statute, the people may petition to refer such statute to a vote of the people. This is referred to as an Initiative Referendum. If, subject to applicable laws and deadlines, the petitions are signed by the required number of electors, the proposed Initiative Referendum must be submitted to the qualified electors.

If Initiative Referendum petitioners desire to render an enacted statute inoperative pending a vote, a petition containing a greater number of signatures is required. If so suspended, the act becomes operative only if and after it is approved at an election.

**Constitutional Amendment.** A Constitutional Amendment is a proposal originated by either the Legislature (Section 8) or the people (Section 9) to change the constitution.

**By the Legislature.** Amendments may be proposed by any member of the Legislature. These are referred to as Constitutional Amendments.

**By the people.** Amendments may be proposed by initiative. These are referred to as Constitutional Initiatives.

**Constitutional Convention.** A question on whether to hold an unlimited Constitutional Convention to revise, alter or amend the constitution may be originated by either the Legislature or the people.

***By the Legislature.*** The Legislature, by an affirmative vote of two-thirds of all the members, may at any time submit to the qualified electors the question of whether there will be a Constitutional Convention.

***By the people.*** The people may, by petition, direct the Secretary of State to submit to the qualified electors the question of whether there will be a Constitutional Convention. If, subject to applicable laws and deadlines, the petitions are signed by the required number of electors, the proposed convention call must be submitted to the qualified electors.

***By statute.*** Pursuant to the Constitution and state law, the Secretary of State shall cause the question of holding an unlimited Constitutional Convention to be placed on the ballot in each 20th year following its last submission.

### **WHEN IS THE ELECTION HELD?**

Except when the Legislature orders a special election on a Legislative Referendum, elections on all types of statewide ballot measures are held with a statewide general election, on the first Tuesday after the first Monday in November in even-numbered years ([13-1-104 MCA](#)). Check the constitution and statutory references for specific provisions. See the [Ballot Issue Calendar](#) for various key dates.

### **DRAFTING AND SUBMITTING A BALLOT ISSUE**

The ballot issue proponent must draft and submit the proposed ballot issue and a non-refundable **\$3,700** submission fee to the Secretary of State's Office, Elections & Voter Services, PO Box 202801, Helena, MT 59620. A waiver of the fee may be obtained under certain circumstances. When submitting, please submit an electronic version by email to [soselections.mt.gov](mailto:soselections.mt.gov). Electronic submittal of the proposed ballot via email is acceptable, however, payment of the filing fee must be made before the ballot issued is accepted for processing.

The draft ballot issue must include the following:

- Draft Ballot statement – The statement of purpose and implication to appear on the ballot ([13-27-212 MCA](#)).
- "Yes" and "No" statements to appear on the ballot ([13-27-213 MCA](#)).
- Text of the ballot issue in accordance with the most recent edition of the bill drafting manual furnished by the legislative services division ([13-27-225 MCA](#)).

Statutory initiative and statutory referendum may not be accepted by the Secretary of State until 10 days after the adjournment sine die of the regular legislative session preceding the general election during which the proposal is intended to be voted on. The prohibitions on acceptance of a proposed statutory initiative or statutory referendum do not apply to a submission received on or after the date that falls 130 days after the date that the legislature convened in regular session pursuant to 5-2-103, even if the legislature has not adjourned sine die. If the secretary of state rejects a proposed statutory initiative or statutory referendum because of this timing, the secretary of state will notify the person who submitted the proposal of the reason for the rejection ([13-27-216 MCA](#) and [13-27-217 MCA](#)).

1. If the submission is complete, the Secretary of State's office will forward the submission text and statements to the [Legislative Services Division \(LSD\)](#) in accordance with [13-27-214 MCA](#). LSD reviews the submission for clarity, consistency, and conformity using the [bill drafting manual](#) and reviews for other legal requirements. If necessary, LSD makes recommendations for revisions **within 14 days** of submission of the proposed submission text and statements per [13-27-216 MCA](#), [13-27-217 MCA](#), [13-27-218 MCA](#), or [13-27-219 MCA](#) depending on the type of ballot issue proposed.
  - a. LSD sends notification **directly** to the ballot issue proponent with any proposed recommendations.
  - b. The ballot issue proponent **must** respond in writing directly to the LSD as directed in the correspondence, either accepting, rejecting, or modifying the proposed ballot issue per [13-27-225 MCA](#). If revisions are not recommended, a response is not required.

2. After the ballot issue proponent responds to the legislative services division as provided in [13-27-225 MCA](#), the proponent shall submit the final text of the proposed statutory initiative and ballot statements to the Secretary of State. However, if a response to the legislative services division correspondence is not required by the proponent pursuant to 13-27-225 MCA, the proponent shall instead submit the final text of the proposed statutory initiative and ballot statements to the secretary of state after the proponent receives the legislative services division's response.
3. The Secretary of State's office reviews the final text and ballot statements for material **NOT** submitted to the LSD and determines if **substantive** changes not recommended by LSD were made.
4. If the final text and ballot statements are approved by the Secretary of State's office, it is then referred to the [Attorney General's Office](#) for legal sufficiency review per [13-27-226 MCA](#) and the budget director for determination whether a fiscal note is necessary per [13-27-227 MCA](#).
5. The budget director shall determine whether a fiscal note is necessary. If the budget director determines a fiscal note is necessary, the budget director shall prepare a fiscal note, notify the attorney general of the necessity of the fiscal note, and provide a copy of the fiscal note pursuant to [13-27-227 MCA](#) within 10 days. Receipt of the notice from the budget director begins the time frame for the Attorney General to begin their review.
6. The Attorney General has 30 days to review the ballot issue for legal sufficiency, review the proposed ballot statements, determine if the proposed ballot issue would likely to cause significant material harm to one or more business interests in the state, and if necessary develop a fiscal impact statement ([13-27-226 MCA](#)).
7. The Attorney General provides the Secretary of State with a statement whether the ballot issue is "legally sufficient" and in compliance with statutory and constitutional requirements for submitting proposed issues to the electors. The Attorney General will also provide a fiscal impact statement if required.
8. If the Attorney General **rejects** the proposed issue, the Secretary of State sends notice to the ballot issue proponent including the Attorney General's legal sufficiency opinion.
9. If the ballot issue is approved by the Attorney General, the Secretary of State's office then assigns a ballot initiative number according to sequence of the next ballot issue approved for signature gathering ([13-27-237 MCA](#)). Ballot issues submitted to the Secretary of State **before this step** are referred by their submittal number where the first ballot issue submitted for the upcoming election is "Ballot Issue #1".
10. If the Attorney General **approves** the ballot issue, the Secretary of State provides the Executive Director of the Legislative Services Division a copy of the final text of the proposed ballot issue and ballot statements. The Executive Director forwards the information to the appropriate interim committee for a public hearing and vote to support or oppose placement of the issue on the ballot within 14 days. A statement of the outcome of the vote is placed on the petition form. The review and vote of the interim committee are done for statutory initiatives, constitutional initiatives, and constitutional convention initiatives. Referendum ballot issues do not require an interim committee review and vote.

11. The Secretary of State creates the final petition form for the approved ballot issue with the assigned number, ballot statements, and other information required by statute and provides it to the proponent for signature gathering. Only the approved final petition form may be used for signature gathering ([13-27-233 MCA](#)).
12. The Secretary of State will provide copies of the sample petition to any interested parties who have may a request to be informed of an approved petition. The Secretary of State will also provide County Election Administrators with copy of the petition form.

#### **EXPLANATORY AND “YES” AND “NO” STATEMENTS**

Ballot statements are drafted by the proponent and must include:

1. a statement, not to exceed 135 words, explaining the purpose and implication of the measure ([13-27-212 MCA](#)), and
2. “Yes” and “No” statements, in the following form ([13-27-213 MCA](#)):
  - ☐ YES (insert the type of ballot issue and its number)
  - ☐ NO (insert the type of ballot issue and its number)

If the Attorney General determines in writing that a ballot statement submitted by a sponsor clearly does not comply with legal requirements, the Attorney General will prepare a ballot statement that complies with the requirements, forward that statement to the Secretary of State as the approved statement, and provide a copy to the petitioner. The statement of purpose and implication prepared is the petition title for the measure circulated by the petition and the ballot title if the measure is placed on the ballot.

#### **PREPARATION OF FISCAL STATEMENT**

1. If the proposal affects the revenue, expenditures, or fiscal liability of the state, the budget director shall determine whether a fiscal note is necessary. If a fiscal note is required, the budget director, in cooperation with the agency or agencies affected by the statewide ballot issue, shall prepare the fiscal note.
2. If a fiscal note is prepared for the proposed ballot issue, the Attorney General will prepare a fiscal statement of no more than 50 words which is to be used on the petition and on the ballot if the measure is placed on the ballot ([13-27-226 MCA](#)).
3. The appropriate interim committee or the legislative council may request a fiscal note if one was previously not determined necessary and may request a revised fiscal note from the budget director if new information is provided which would impact the fiscal note determination or accuracy of the initial fiscal note ([13-27-228 MCA](#)).

## **GATHERING OF SIGNATURES**

See the “Instructions on Statewide Ballot Issue Signature Gathering” included in the Appendix that begins on page 11 of this guide. Each signature gatherer should be provided with a copy of that section of this document. Additionally, a training presentation for signature gatherers, named “Rights and Responsibilities of Signature Gatherers”, is available on the Secretary of State’s website.

[https://sosmt.gov/elections/ballot\\_issues/](https://sosmt.gov/elections/ballot_issues/)

## **NUMBER OF SIGNATURES REQUIRED**

For an initiative or referendum, the number of qualified electors required in each legislative representative district and in the state is determined by the number of votes cast for the office of governor in the most recent gubernatorial election.

Electronic, digital, or facsimile signatures, including electronic signatures pursuant to Title 30, chapter 18, part 1, are prohibited ([13-27-103 MCA](#)).

For specific totals required, see “Requirements for Statewide Ballot Issues” in the *Appendix*.

### **Initiative:**

- i. The petition must be signed by at least five percent (5%) of the qualified electors in the state at large, including at least five percent (5%) in each of at least one-third (34) of the legislative representative districts.

### **Referendum:**

- i. The petition must be signed by at least five percent (5%) of the qualified electors in the state at large, including at least five percent (5%) in each of at least one-third (34) of the legislative representative districts.

### ***To suspend an act referred to the people:***

- i. An act referred to the people is in effect until suspended by referendum petitions signed by at least fifteen percent (15%) of the qualified electors in each of at least 51 legislative representative districts.

### **Constitutional Amendment:**

- i. By the Legislature – They must be adopted by an affirmative vote of two-thirds of all the legislative members in order to be submitted to the qualified electors.
- ii. By the people – These petitions shall be signed by at least ten percent (10%) of the qualified electors of the state. That number shall include at least ten percent (10%) of the qualified electors in each of two-fifths (40) of the legislative districts.

### **Calling a Constitutional Convention:**

- i. For calling a Constitutional Convention, the petition must be signed by at least ten percent (10%) of the qualified electors in the state at large, including at least ten percent (10%) in each of at least two-fifths (40) of the legislative representative districts.

### **DEADLINES FOR SUBMISSION AND FILING OF PETITION SHEETS**

(See the [Ballot Issue Calendar](#) for applicable dates and statutory references.)

Submit petitions to [County Election Administrators](#) (EA) of the county where electors who signed are registered.

1. *Constitutional Initiatives and Statutory Initiatives* - Signed sheets or sections of petitions must be submitted to county election administrators no sooner than 9 months (**October 19, 2023**) and no later than 4 weeks (**June 21, 2024**) before the final date for filing the petition with the Secretary of State.
2. *Statutory Referendum Petitions* - Signed sheets or sections of petitions must be submitted to county election administrators not later than 5 months after adjournment of the Legislature which passed the act, for the petition to be forwarded by county election administrators to the Secretary of State within 6 months of the adjournment of the Legislature that passed the act.

Filing by County Election Administrators with the [Secretary of State](#)

1. *Constitutional Initiatives and Statutory Initiatives* - Each county election administrator must forward certified petition sheets to the Secretary of State by 5 p.m. of the third Friday of the fourth month (**July 19, 2024**) prior to the election at which the measure is to be voted upon by the people.
2. *Statutory Referendum Petitions* - Certified petition sheets must be forwarded by the county election administrators to the Secretary of State no later than 6 months after adjournment of the Legislature that passed the act.

### **EMPLOYERS OF PAID SIGNATURE GATHERERS**

1. A person who employs a paid signature gatherer shall register with the secretary of state prior to collecting signatures ([13-217-112 MCA](#)). Registration forms are available upon request. There is no fee for registering ([ARM 44.3.2801](#)).
2. A person gathering signatures for a petition may not be paid anything of value based upon the number of signatures gathered ([13-27-102 MCA](#)).
3. A person who employs paid signature gatherers shall also file reports as required with the Commissioner of Political Practices ([13-27-112 MCA](#)). Please see COPP's website for more information- <https://politicalpractices.mt.gov/>.

### **WITHDRAWAL OF SIGNATURES**

Signatures may be withdrawn from a petition up to the time of final submission of petition sheets to the County Election Administrators (**June 21, 2024**) ([13-27-301 MCA](#)). To withdraw a signature, the signer must fill out a Request for Withdrawal form which is available on the [Ballot Issue Forms](#) webpage or a copy may be obtained from any county election administrator.

### **CERTIFICATION TO GOVERNOR WHEN PETITION IS QUALIFIED**

When a petition containing enough verified signatures has been filed with the Secretary of State for a ballot issue, the Secretary of State will certify to the Governor that the petition has qualified to appear on the upcoming ballot ([13-27-308 MCA](#)).

## Voter Information Pamphlet

The Secretary of State prepares a pamphlet to be sent by county election administrators to all households with active registered voters. The pamphlet is also available electronically on the Secretary of State's website at [sosmt.gov](http://sosmt.gov) and at all voting precincts.

The Voter Information Pamphlet contains, for each ballot issue appearing on the ballot:

- The statement of purpose and implication
- Fiscal statement, if applicable
- The "Yes" and "No" statements
- Complete text of the issue
- Arguments for and against the issue and rebuttal arguments
- Names of the members of the committees who draft the arguments and rebuttals.

### **APPOINTMENT OF PRO AND CON COMMITTEES**

Once a petition has qualified to appear on the ballot, committees are formed to write arguments for and against the issue for an informational pamphlet that is distributed before each election to all households with active registered voters. The size of the committees and who appoints them depends on the type of petition. (See [13-27-402](#) and [13-27-403, MCA.](#))

1. *Initiative petitions (constitutional initiatives and statutory initiatives).* A three-member committee supporting the issue is appointed by the sponsor who submitted the petition. A five-member committee opposing the issue is appointed by the Governor, Attorney General, President of the Senate and Speaker of the House of Representatives. The four appointed persons appoint the fifth member.
2. *Referenda from the Legislature.* A three-member committee supporting the issue is composed of one senator known to favor the measure appointed by the President of the Senate, one representative known to favor the measure appointed by the Speaker of the House of Representatives and one individual (who need not be a legislator) appointed by the first two members. The primary bill sponsor of the referendum is appointed to the committee as the member from the legislative body in which the bill was originated. A three-member committee opposing the issue is appointed in the same manner as the committee supporting the issue (but, if possible, members should be known to have opposed the issue).
3. *Referenda from the people.* A three-member committee in favor of repealing the bill that was referred by the petition sponsor is appointed by the petition sponsor, and a three-member committee against repealing the bill that was referred by the petition sponsor is composed of one senator appointed by the President of the Senate, one representative appointed by the Speaker of the House of Representatives and one individual (who need not be a legislator) appointed by the first two members.



<b>Ballot Measure</b>	<b>Pro Committee Members</b> <i>(for IR, in favor of repealing referred bill)</i>	<b>Con Committee Members</b>
Constitutional Initiative (CI)	<ol style="list-style-type: none"> <li>1. Person appointed by sponsor</li> <li>2. Person appointed by sponsor</li> <li>3. Person appointed by sponsor</li> </ol>	<ol style="list-style-type: none"> <li>1. Person appointed by the Senate President</li> <li>2. Person appointed by the Speaker</li> <li>3. Person appointed by the Governor</li> <li>4. Person appointed by the Attorney General</li> <li>5. Person appointed by the other four appointees</li> </ol>
Statutory Initiative (I)	<ol style="list-style-type: none"> <li>1. Person appointed by sponsor</li> <li>2. Person appointed by sponsor</li> <li>3. Person appointed by sponsor</li> </ol>	<ol style="list-style-type: none"> <li>1. Person appointed by the Senate President</li> <li>2. Person appointed by the Speaker</li> <li>3. Person appointed by the Governor</li> <li>4. Person appointed by the Attorney General</li> <li>5. Person appointed by the other four appointees</li> </ol>
Initiative Referendum (IR)	<ol style="list-style-type: none"> <li>1. Person appointed by sponsor</li> <li>2. Person appointed by sponsor</li> <li>3. Person appointed by sponsor</li> </ol>	<ol style="list-style-type: none"> <li>1. Senator appointed by the Senate President</li> <li>2. Representative appointed by the Speaker</li> <li>3. Person appointed by the other two appointees</li> </ol>
Legislative Referendum (LR)	<ol style="list-style-type: none"> <li>1. Senator appointed by the Senate President*</li> <li>2. Representative appointed by the Speaker*</li> <li>3. Person appointed by the other two appointees</li> </ol> <i>(*The primary bill sponsor from the originating body is appointed)</i>	<ol style="list-style-type: none"> <li>1. Senator appointed by the Senate President</li> <li>2. Representative appointed by the Speaker</li> <li>3. Person appointed by the other two appointees</li> </ol>
Constitutional Amendment (C) (by Legislature)	<ol style="list-style-type: none"> <li>1. Senator appointed by the Senate President*</li> <li>2. Representative appointed by the Speaker*</li> <li>3. Person appointed by the other two appointees</li> </ol> <i>(*The primary bill sponsor from the originating body is appointed)</i>	<ol style="list-style-type: none"> <li>1. Senator appointed by the Senate President</li> <li>2. Representative appointed by the Speaker</li> <li>3. Person appointed by the other two appointees</li> </ol>

### **DRAFTING THE ARGUMENTS**

The original arguments for or against an issue are no longer than a single side of a page (7 1/2" x 10"). The argument must consist solely of written material prepared by the committee and may not consist of pictures, clippings, or other material. The written material must be prepared in the font and type style required by the Secretary of State and must be filed with the Secretary of State no later than 105 days before the election at which the issue will be voted upon by the people.

Copies of these arguments are provided to each ballot issue committee, each of which may prepare a rebuttal argument which is subject to the same requirements as for arguments, except that the rebuttal is no longer than one-half the size of the arguments (7 1/2" x 5") and must be filed with the Secretary of State no later than 10 days after the deadline for filing the original arguments.

Supporters and opponents of ballot issues who make factual statements in their arguments and/or rebuttals must provide supporting documents within 2 business days of the deadline for submitting the arguments or rebuttals, as applicable.

Arguments and rebuttals may be rejected if the Secretary of State, with the approval of the Attorney General, holds that the arguments contain obscene, vulgar, profane, scandalous, libelous or defamatory

matter, or if the language incites, counsels, promotes or advocates hatred, abuse, violence or hostility toward or tends to cast shame or ridicule upon any group of persons by reason of race, color, religion or sex, or is otherwise prohibited by law to be sent through the mail.

## After the Election

### CANVASS OF VOTES CAST

After the election, each county board of canvassers must canvass the votes cast for each ballot issue. The results of the canvass must be certified to the board of state canvassers, who shall in turn canvass and certify statewide results.

### EFFECTIVE DATES

*13-27-105. Effective date of statewide initiative and statewide referendum issues. (1) Unless the petition states otherwise, a statutory initiative or constitutional convention initiative approved by the people is effective on **October 1** following approval. If a statutory initiative delegates rulemaking authority, it is effective no sooner than October 1 following approval.*

*(2) A constitutional initiative or constitutional referendum that is approved by the people is effective on **July 1** following approval unless the constitutional initiative or constitutional referendum provides otherwise.*

*(3) Unless specifically provided by the legislature in an act referred by it to the people or until suspended by a petition signed by at least 15% of the qualified electors in a majority of the legislative representative districts, an act referred to the people is in effect as provided by law until it is approved or rejected at the election. An act that is rejected is repealed effective the date the result of the canvass is filed by the secretary of state under **13-27-503**. An act referred to the people that was in effect at the time of the election and is approved by the people remains in effect. An act that was suspended by a petition and is approved by the people is effective the date the result of the canvass is filed by the secretary of state under **13-27-503**. An act referred by the legislature that contains an effective date following the election becomes effective on that date if approved by the people. An act that provides no effective date and whose substantive provisions were delayed by the legislature pending approval at an election and that is approved is effective October 1 following the election.*

# Instructions on Statewide Ballot Issue Signature Gathering

## Qualifications of Signers

---

A petition for initiative, referendum, or to call a Constitutional Convention may be signed only by a qualified registered elector of the state of Montana.

## Qualifications of Signature Gatherers

---

A person gathering signatures for a statewide ballot issue may not be paid anything of value based upon the number of signatures gathered.

## Specific Signature Gathering Procedures

---

See below for specific signature gathering procedures. See additional instructions to signature gatherers on the bottom of each petition signature sheet.

## Gathering Signatures

---

1. You must be present when the signer signs the petition. Do **not** leave a petition unattended.
2. The most common reason that signatures on petitions are rejected is that the printed last name cannot be read. Check to see that the printed last name is legible.
3. The signature does not have to be identical to the name under which a person has registered to vote. However, a signature is more likely to be accepted if it is signed as the person has registered to vote. If the individual is registered with a signature of "Sammy Brown" he should sign as such, not as "J. Samuel Brown".
4. Another error occurs when someone signs a petition, and then signs for another person, such as his or her spouse. Such signatures will be rejected. Each person must sign a petition individually.
5. Check to see that each signer puts in the correct date that he or she signed. Signatures will be rejected if the date indicated is after the date the petition gatherer has signed the affidavit.
6. Signers may provide their telephone number, although for the purposes of matching the signer to their voter record it is ideal for them to provide their residence address or mailing address.

## Properly Completing and Submitting the Affidavit of Signature Gatherer

---

1. A properly completed Affidavit of Signature Gatherer must accompany each section of up to 25 petition sheets submitted together at the time of submission to the county election administrator.
2. The affidavit must be signed by the signature gatherer and notarized, if using the affidavit that uses a notary, AFTER gathering the last signature on the petition sheets that you attach to the affidavit. Do **not** complete and sign the affidavit in front of a notary before gathering the last signature on the signed petition sheet(s) that you attach to the affidavit\*.
3. On the line asking for the date on which you gathered the first signature attached, be sure that the date accurately matches the first date on the signed petition sheets that you attach to the affidavit.
4. Collect and submit signatures from one county per sheet. If signatures are submitted to County A and it contains signatures from County B, those signatures cannot be verified by County A and will be rejected.
5. The Secretary of State's office does not recommend holding petition signature sheets for submitting (unless statute provides that you cannot submit sheets to county election administrators until a certain date); doing so may make it impossible to be able to fix errors that could otherwise be corrected so that the petitions or sections of the petitions are not rejected.

*\*Note: The affidavit of signature gatherer requires you, in part, to swear that the signers knew the contents of the petition; if you complete and sign the affidavit before asking the signers to sign, you cannot logically nor legally claim that the signers knew the contents of the petition at the time that you completed and signed the affidavit.*

**Sign the affidavit after gathering signatures on the petition sheet(s).**

## Submitting Signatures to County Election Offices

---

1. A list of county election administrators can be found online at [sosmt.gov/elections](https://sosmt.gov/elections).
2. For initiative petitions (*other than referendums*), the earliest date you can gather signatures is **June 21, 2023** ([13-27-243 MCA](#)). There is no earliest date in law for referendum petitions to be circulated for signatures, after the petition form is reviewed and approved as provided by law.
3. The **earliest** date that you can submit signed petition sheets (*other than referendums*) to county election administrators is **October 19, 2023** ([13-27-301 MCA](#)).
4. The deadline for county election offices to **receive** signed petition sheets and affidavits (*other than referendums*) is **5:00 p.m. June 21, 2024** ([13-27-301 MCA](#)). The deadline for referendum petitions to be submitted to county election administrators is 5 p.m., 4 weeks before 6 months after adjournment of the Legislature.
5. If it is not possible to submit all original signed sheets or sections of petitions with **original** signatures and affidavits by the applicable deadline above, a copy or facsimile may be submitted so that it is received by the proper county official no later than the 5:00 p.m. deadline, subject to the following ([13-27-301 MCA](#)):
  - a. Signed sheets or sections of petitions with **original** signatures must be submitted within 7 calendar days after the deadline.
  - b. Failure to submit signed sheets or sections of petitions with **original** signatures within 7 calendar days will invalidate the signed sheets or sections submitted by copy or facsimile.
6. After receiving the petition sheets, county election administrators have up to four weeks to verify the names of all signers on the petition sheets, before forwarding verified petition signature sheets to the Secretary of State for tabulation
7. \*Note – Electronic, digital, or facsimile signatures, including electronic signatures pursuant to Title 30, Chapter 18, part 1 are not valid for petition purposes ([13-27-103 MCA](#)).

## Signature Requirements for Statewide Ballot Petitions

Because of Legislative redistricting, the number of signatures per House District required to qualify a petition is set to a uniform number for the 2024 election ([13-27-303 MCA](#)). For subsequent elections, the number of signatures required is set by required percentage of the votes cast for office of governor in the preceding general election in that specific district ([MT Constitution, Article III, Part III, Section 7](#)).

### Per House District (2024 Election):

5% of vote cast: 302

10% of vote cast: 604

15% of vote cast: 906

### Petition Totals (2024 Election):

5% requirement: 30,180

10% requirement: 60,359

15% requirement: 90,539

## Forms Required for Statewide Ballot Petitions:

See [https://sosmt.gov/elections/ballot\\_issues/](https://sosmt.gov/elections/ballot_issues/) and <https://sosmt.gov/elections/official-forms/#36-55-petition-forms> for the most updated versions of various Ballot Issue forms.

- [Affidavit of Signature Gatherer with Notary](#)
- [Affidavit of Signature Gatherer with Unsworn Declaration](#)
- [Designation of Lead Petitioner](#)
- [Request Withdrawal of Petition Signature](#)

## Example form of Statewide Ballot Petitions:

See the next page for a generic example of the format of the Ballot Petition signature forms. The exact content on the form varies by type of petition and is set in statute:

Petition for Statutory Initiative – [13-27-238 MCA](#)

Petition for Statutory Referendum – [13-27-240 MCA](#)

Petition for Constitutional Initiative – [13-27-241 MCA](#)

Petition for Constitutional Convention Initiative – [13-27-242 MCA](#)

Sample of Ballot Issue Signature Sheet

<if required AG warning notice>

WARNING: The Attorney General of Montana has determined the proposed ballot issue will likely cause significant material harm to one or more business interests in Montana.

PETITION TO PLACE INITIATIVE NO. \_\_\_\_ ON THE ELECTION BALLOT

Subject to applicable laws and deadlines, if 5% of the voters in each of 34 legislative representative districts sign this petition and the total number of voters signing this petition is **30,180**, this initiative will appear on the next general election ballot. If a majority of voters vote for this initiative at that election, it will become law.

We, the undersigned Montana voters, propose that the secretary of state place the following initiative on the **November 5, 2024**, general election ballot:

(Title [statement of purpose and implication]  
of initiative written pursuant to 13-27-212)

- ☐ YES on (insert the type of ballot issue and its number)
- ☐ NO on (insert the type of ballot issue and its number)

Voters are urged to read the complete text of the initiative, which appears (on the reverse side of, attached to, etc., as applicable) this sheet. A signature on this petition is only to put the initiative on the ballot and does not necessarily mean the signer agrees with the initiative.

Voters are advised that either an interim committee or an administrative committee of the legislature in accordance with 5-5-215 or 5-11-105 reviewed the content of this initiative and **[did]** or **[did not]** support the placement of the proposed text of this initiative on the ballot. The outcome of the vote was **[x]** in favor of placing the measure on the ballot and **[x]** against placing the measure on the ballot.

WARNING

A person who purposefully signs a name other than the person’s own to this petition, who signs more than once for the same issue at one election or who signs when not a legally registered Montana voter is subject to a \$500 fine, 6 months in jail, or both. Each person is required to sign the person’s name and list the person’s address or telephone number in substantially the same manner as on the person’s voter registration card or the signature will not be counted.

				For County Election Office Use Only	
		Residence Address or Post-Office Address or Home Telephone Number	Printed Last Name and First and Middle Initials	Legis. Rep. Dist. Number	Reserved
Signature	Date Signed				
1.					
2.					
3.					
4.					
5.					

(numbered lines continue to 10 lines per page)

COUNTY: \_\_\_\_\_

(OPTIONAL: This area may contain a tracking bar code, instructions to petition signature gatherers, e.g. where to mail completed petition sheets and affidavit(s), and deadline for submission to county.)

## Contact Information:

For questions about the ballot issue process, please contact the [Secretary of State](#), Elections and Voter Services Division, Room 260, State Capitol, PO Box 202801, Helena, MT 59620-2801, call (406) 444-9608, or email [soselections@mt.gov](mailto:soselections@mt.gov).

For more information for submission and review of a draft ballot issue or questions about the legislative bill drafting manual, please contact [Legislative Services Division](#)- Room 110, State Capitol, PO Box 201706, Helena, MT 59620-1706, or (406) 444-3064.

For information about ballot issue campaign finances or campaign reporting requirements, contact the [Commissioner of Political Practices](#) at (406) 444-2942.