

Petition Processing Tips

For **detailed instructions** go to MT Votes SharePoint, Forms Files and Documents, MT Votes Training, then Petitions.

Processing Tips:

- Avoid lawsuits – Provide a receipt to the gatherer with quantity of sheets and affidavits received. Also, make & keep documentation of anything sent back to a gatherer for correction.
- Make sure gatherers are using the approved petition forms & affidavits.
- Make sure affidavits are complete, notarized, and the gatherers sign it **after** gathering signatures.
- Process and send to SOS early and often – Correctable errors can be sent back to gatherers.
- One affidavit per ballot issue. If you receive **one affidavit for two or more** ballot issues, you may pair the affidavit with one of the petitions and process. The other issue should not be processed, unless the gatherer provides another affidavit.
- Marking the “Yes” or “No” oval does not invalidate the petition.
- Keep them organized. Process petitions in the order received.
- In MT Votes, process as **one submittal** all sheets (up to 25) that are submitted with **one affidavit**. For each **new affidavit**, process a **new submittal**. Multiples can be with one PM-009 certificate.
- If multiple affidavits are received, then have the signature gatherer sort and organize them.
- Montana law requires the **original** sheets and affidavit be processed. **Do not process copies**.
 - copies can be accepted if **originals** are received within one week after the deadline.
- Not processing a petition? Write on it the reason not accepted, keep a copy, send originals to SOS *without* the PM-009 certification report. If unsure, call SOS. If correctable send to gatherer.
- Late petitions should not be processed.
 - date stamp received, write a note they were late, keep a copy, send originals to SOS.
- If petition is a **double-sided** one but receive one that does not include lines on both sides...
 - **process** the petition if there are lines on the front and reverse is blank
 - **process** if there is a sheet that is obviously intended to be the reverse (e.g. either they are attached to one another or the reverse sheet immediately follows the front.)
 - **do not process** the petition if reverse side cannot be definitively linked to the front side.
- If a petition has **manually** added lines, **process** the petition if the extra lines are on front (and the title, warning and pre-printed lines are on the front)
 - **process** petition when the extra lines are on the backside **only** when the title, warning and pre-printed lines are **also present** on the backside.
 - **do not process** the petition if the title, warning and pre-printed lines are not present.
- For statewide ballot issue petitions or legislative, state district, or statewide candidate petitions, complete and send the PM-009 petition certification report to the SOS.
- PM-009 reports and the **original** signed petitions with **original** affidavits are to be processed and sent to the SOS by certified mail within 4 weeks of county receiving them.
 - For legislative, state district, and statewide candidate petitions, process them so that they are received by the SOS within 1 week.
 - Date, sign & stamp (certify) the PM-009
 - Make and keep **copies** before sending.

Petition Gathering Tips

- Do not process the petition if the affidavit has no address for the signature gatherer.
 - The address does not have to be a residence address, PO Box is fine.
 - It is not required to verify the signature gatherers address.
 - If the gatherers address is out of state...
 - for candidate or local petitions, state law **does not** require that the signature gatherer be a resident of the state.
 - if the petition is for a statewide ballot issue notify the Secretary of State.
- If possible, link the Petition Gatherer (Circulator) to a record in MT Votes. Gatherers are not required to be registered voters. It may be required to manually enter the Circulator in.
- Signature gatherers can sign their own petitions.
- EAs and the SOS **are not** responsible for policing the competency or ages of signature gatherers.

Processing Signatures Tips:

- **Cannot count** if the signature and identifying information is illegible.
- Only accept signatures of those registered in your county.
- Signer may sign initials and their last name if the signature is similar to the one on file.
- **Cannot count** if neither an address nor a phone number is provided. (blank address/phone field)
- Count the signature even if address or phone do not match the one on file, but the signature matches and there is no other reason to disqualify it.
- Count, if signer provides a residence address but not the city and you find them in MT Votes, unless there is another reason to reject it.
- Ditto or hash marks are acceptable as a way of indicating that the above address/phone is same.
- Accept a signature, if the address provided only includes the city, town, or zip code.
- If the signer did not print their name, you may accept the signature, **if** you can read the signature, find them in the system, **and** the signature matches.
- If the address/phone is written across two signers' signature blocks, accept the signatures if it is clear the address/phone belongs to both signers.
- Accept a signature, if, despite minor technical issues, you believe that the signature is genuine.
- **Do not accept** a signature if there is a major technical issue or if, after best efforts at signature verification, it is believed that it does not match the signature on file.
- **Do not accept** signatures of provisionally registered electors. They are not legally registered.
 - MT Votes shows provisionally registered electors, but they are flagged as provisionally registered.
- Do accept the signatures of inactive electors, since they are legally registered.
 - Do not automatically activate them based on signing of a petition.
- If the Date of First Signature Gathered is written on the affidavit as July 15th, but the first signature on one of the attached petition sheets is actually dated July 14th the signature should still be counted. This is a minor error.
- If a person wants to withdraw their signature, they can by filling out a notarized withdrawal form, not by writing "No" or similar next to their signature.



Quick Reference: Petition Processing

Montana Secretary of State
sosmt.gov • soselections@mt.gov

- 1) For **detailed steps** on petition processing in MT Votes, go to MT Votes SharePoint. Find under Forms Files and Documents, MT Votes Training, then Petitions. For **Tips** on processing ballot issue and candidate petitions, visit the [Election Officials Resource](#) page. Scroll down and click on Petition Processing Tips and Quick Reference.
- 2) Check to make sure that **both the petition sheets and affidavit** are included in the documents submitted to your office. Make sure they are organized, and affidavits are complete before submitting.
- 3) **Provide a receipt** documenting how many pages were submitted.
- 4) If possible, **link the circulator** to a voter record in MT Votes; if the circulator is not registered to vote, enter the circulator’s information manually.
- 5) **Check each signature.** A signature may be counted if the signature, taken as a whole, bears enough similarity to the signature on the registration form to provide reasonable certainty of its authenticity.
- 6) For statewide ballot issue petitions and statewide candidate or state district candidate petitions, certify the petitions using the **MT Votes PM-009 report**. Make copies for your records. Using paper or binder clips, attach the signed original certification report to the original affidavit and original signed petition(s), then mail to the SOS by certified mail to PO Box 202801, Helena, MT 59620-2801 so that they are received by the deadline.
- 7) Call **406-444-9608** or email soselections@mt.gov if you have questions about statewide ballot issue petitions or statewide candidate or state district candidate petitions.

Count Signature	Do <u>Not</u> Count Signature
Sufficiently Similar Signature	Non-Matching Signature
Inactive Registrant	Provisional Registrant
Late Registrant	Pending-Incomplete Registrant
Address or Phone # do not match VR record	No Address and No Phone #
Registered in your county	Not registered in your county

Updated January 17, 2020



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