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Schedule No. 3

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# Elections Records Schedule

**Adopted by the Local Government  
Records Committee, August 1996**

**LAST REVISED – April 2019**

## Local Government Records Management

Per the duties and responsibilities set forth in 2-6-1202 MCA, the [Local Government Records Committee](#) (LGRC), has approved this records retention schedule to assist you in managing your records. If you have questions or comments about the schedule, procedures or want to request a change to the retention schedule, please contact us:

### Local Government Records Committee

Local Government Services

P.O. Box 200547

Helena MT 59620-0547

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

### About retention periods

Retention periods assigned to records are minimums. Local governments are not required to destroy or otherwise dispose of records at the end of the minimum time frame outlined in a retention schedule. If a retention period in a record schedule refers to a fiscal year, the records retention clock begins the month the local government receives the final fiscal year audit report relating to those records.

### Disposition & Destruction of Public Records

By state law (7-5-4124 MCA), all requests to dispose of local government records must be approved by the governing body. Local governments may dispose of records that have met their retention requirements provided they are:

- not subject to a legal or regulatory hold
- the disposal is carried out in accordance with federal/state/local laws and a retention schedule approved by the LGRC (2-6-1202 MCA,) and/or
- a court order

Local governments should follow best practices and document the disposal of their public records. There are two different legal procedures that must be followed before disposing public records. The first relates to records under ten years old and records that contain confidential information. The second process relates to public records that are over ten years old. State law (2-6-1205 MCA) requires that non-confidential records must first be offered on a central registry in case entities like the Montana Historical Society-State Archives, colleges/universities, historical museums, genealogy societies, and the general public want to claim them. Follow the priority order listed in the statute if you get multiple requests for the records.

Retention schedule says: **NO RM60\* REQUIRED** or **Disposal form RM88\***

Applicable to: Records **under** ten years old and to records **that contain** confidential information

1. Complete Form RM 88\* listing each record series to be disposed.
2. Present the form to your governing body for approval.
3. Dispose of the records, sign and date the bottom of Form RM88\* and note the means by which the records have been disposed. Retain the completed Form RM88\* for 30 years.

Retention schedule says: *(Disposal form RM60\*)* or doesn't specify a form

Applicable to: Records **over** ten years old that **do not contain** confidential information.

1. Completed Form 60 listing each record series to be disposed.
2. Present the form to your governing body for approval.
3. Email the form to the LGRC at [SOSLocalGovtRecCom@mt.gov](mailto:SOSLocalGovtRecCom@mt.gov).
4. The LGRC will review and route the form for approval by:
  - a. Local Government Services (DOA)
  - b. Montana Historical Society
  - c. Local Government representative
5. The form is forwarded to the Secretary of State's Records and Information Management (RIM) Division to post on the [local government records listserv](#). They note the date the records were placed on Form RM60 for the 60-day notice period required by 2-6-1205.
6. Form RM60 will be returned to you, and you can dispose of the records 60 days after the date listed by the State RIM Division on the form if the records haven't been claimed.

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## ER2

\*RM60 and RM88 are records disposal request forms issued by the Local Government Records Committee. Form RM60 is required if records are not confidential and over 10 years old. Form RM88 can be used if the records are either confidential or not over 10 years old.

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**FOR RECORD DISPOSAL SEE MCA 2-6-403** For the most current revision go to: [www.sos.mt.gov](http://www.sos.mt.gov)

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7. Dispose the records, sign and date the bottom of Form RM60 and note the means by which the records have been disposed. Retain the completed Form RM60 for 30 years.

### **Confidential records**

The local government unit bears responsibility to determine if records are confidential and should note which records are confidential on each request for disposal. If you have questions, please see the Montana Constitution, Article II, [Section 9](#) and [Section 10](#), Title II statutes at [2-17-553, MCA](#), and consult legal counsel.

### **Legal and regulatory records holds**

Local government units should not dispose of records subject to litigation, a legal proceeding, an audit and/or a formal investigation, even if the records have met their retention requirements.

### **Electronic records and recordkeeping systems**

The Local Government Records Committee has adopted the Association of Records Managers & Administrators (ARMA) International's Generally Accepted Recordkeeping Principles® for local governments using electronic systems to store long-term records, ©2014 ARMA International, [www.arma.org](http://www.arma.org). Local governments should use them as the framework to design, implement, operate, and decommission the systems and to manage the records and data within the systems. Planning should include preservation considerations to ensure records are trustworthy, complete, accessible, and durable over time. Best practices for electronic records preservation include the creation and routine maintenance of a preservation plan. Samples and guidance can be requested from LGRC. If you digitize your paper or microfilm records, the LGRC recommends that your local government unit take official action through an official adopted policy or resolution declaring your electronic records as the official records. Use the procedures above under “Disposition & Destruction of Public Records” to document the disposal of the paper or microfilm.

### **Microfilm/Microfiche**

If a local government unit uses archival-quality microfilm or microfiche, as the official storage medium, the unit should carefully review the microfilm before disposing the original paper records to ensure readability. Microfilm or microfiche may be considered as a long-term or permanent, low-cost, storage medium for public records, provided that the filming process, development, and storage of the film master meets certain national standards. To verify whether your film meets these standards, contact the Secretary of State Records and Information Management Division by email or by phone at (406) 444-9000. If you microfilm your paper records, the LGRC recommends that your local government unit take official action declaring your microfilm records as the official records. Procedures above under “Disposition & Destruction of Public Records” should be used to document the disposal of the paper records.

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### ER3

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## MONTANA LOCAL GOVERNMENT RETENTION SCHEDULE

**DEPARTMENT: ELECTIONS**

ITEM	RECORD TITLE AND DESCRIPTION	RETENTION TIME	COMMENTS
1.	<b>ABSENTEE BALLOT ENVELOPES</b> a. Returned/Verification (signed envelopes) b. Secrecy	County and Local Government - 1 year  State and Federal – 22 months	Disposal Form RM88*
2.	<b>ABSENTEE BALLOT LOGS</b> a. Voter’s Absentee ballot request-county and local elections  b. Voter’s absentee ballot request-state and federal elections  c. Election administrator’s certification of absentee ballots issued  d. Confirmation letter to annual absentee voter	a. 1 year if no recount is pending. b. 2 years if no recount is pending. c. 1 year for county & local elections; 22 months for state and federal elections. d. 1 year	Disposal Form RM88*
3.	<b>ADDRESS CONFIRMATION CARDS-</b> Notification cards sent to voters that failed to vote in a General election or because mail ballot was returned as undeliverable; part of NVRA process.	2 years	Disposal Form RM88*
4.	<b>AFFIDAVITS OF PUBLICATION (Notices of election)</b> a. close of registration b. polling places c. notice of election d. notice-public test of election machine e. filing deadlines f. proof of publications	County and Local Government- 1 year  State and Federal- 22 months	Disposal Form RM88*
5.	<b>AUDIT LOG- CENTRAL COUNTER or PRECINCT COUNTER</b>	County and Local Government- 1 year  State and Federal- 22 months	Disposal Form RM88*
6.	<b>BALLOTS –COUNTY AND LOCAL GOVERNMENT-</b> a. Voted and un-voted and detached stubs b. Unused c. Unverified Provisional ballots d. Verified Provisional ballot secrecy envelopes and outer affirmation envelope. e. Test Ballots- for testing of election equipment	a. 1 year if no recount is pending * see MCA 13-1-303 b. 1 year c. and d. 1 year e. 1 year	Disposal Form RM88*

ER4

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## MONTANA LOCAL GOVERNMENT RETENTION SCHEDULE

**DEPARTMENT: ELECTIONS**

ITEM	RECORD TITLE AND DESCRIPTION	RETENTION TIME	COMMENTS
7.	BALLOTS –STATE AND FEDERAL a. Voted and un-voted and detached stubs b. Unused c. Unverified Provisional ballots d. Verified Provisional ballot secrecy envelopes and outer affirmation envelope. Test Ballots-Automark	a. 22 months if no recount is pending see Federal Law b. 22 months c. and d. 22 months e. 22 months	Disposal Form RM88*
8.	BIPA -BALLOT COLLECTION REGISTRY FORM a. county and local government election b. state and federal election	a. 1 year if no recount pending b. 2 years if no recount is pending	Disposal Form RM88*
9.	CANDIDATE FILING FORMS OR PETITIONS		See Clerk and Recorders Retention Schedule for filing and retention time of candidate's financial statements and oaths of office.
10.	CANDIDATES- REGISTER OF	4 years	Disposal Form RM88*
11.	CANVASS BOOKS/RESULTS	County and Local Government- 1 year  State and Federal- 22 months	Disposal Form RM88*
12.	CERTIFICATION OF AUTOMARK TESTING	County and Local Government- 1 year State and Federal- 22 months	Disposal Form RM88*
13.	CERTIFICATION OF TABULATION EQUIPMENT TESTING	County and Local Government- 1 year  State and Federal- 22 months	Disposal Form RM88*
14.	ELECTION SEAL LOG	County and Local Government- 1 year  State and Federal- 22 months	Disposal Form RM88*

ER5

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**DEPARTMENT: ELECTIONS**

ITEM	RECORD TITLE AND DESCRIPTION	RETENTION TIME	COMMENTS
15.	ELECTRONIC DEVICE or related software necessary to count ballots.	6 days after the canvass of the election if no recount or court action is pending.	Disposal Form RM88*
16.	INVOICES FOR ELECTION COSTS	Audit + 1 year	Disposal Form RM88*
17.	M 100 TAPE ROLLS- Tracks all activity on the M 100 machine.	County and Local Government- 1 year  State and Federal- 22 months	Disposal Form RM88*
18.	MAIL BALLOT ELECTIONS a. Secrecy envelopes b. Returned/Verification (signed envelope) c. Undeliverable envelopes d. Ballots e. Daily tally of mail ballots received f. Record of questioned ballots g. Transport box seal register h. Written plan-duplicate-original at Secretary of State office i. Replacement ballot register j. Record of ballot voted in person k. Place of deposit signature log l. Replacement ballot request	County and Local Government-1 year if no recount /court action is pending  State- 22 months unless court action or recount is pending.	Disposal Form RM88*
19.	OFFICIAL RETURNS OF ELECTION	Permanent	
20.	PETITIONS- LOCAL	2 years Offer to State Archives if 65 years or older	Originals Disposal Form RM88*
21.	PETITIONS- STATEWIDE a. non-Presidential b. Presidential	a. 3 months after election** see MCA 13-27-305 b. 22 months	Disposal Form RM88*
22.	POLL AND TALLY BOOKS	4 years Offer to State Archives if 65 years or older	Disposal Form RM88*
23.	POST ELECTION AUDIT RECONCILIATION AND REPORT TO SECRETARY OF STATE	22 months if no recount is pending	Disposal Form RM88*
24.	PRECINCT MAPS	Permanent	

ER6

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## MONTANA LOCAL GOVERNMENT RETENTION SCHEDULE

### DEPARTMENT: ELECTIONS

ITEM	RECORD TITLE AND DESCRIPTION	RETENTION TIME	COMMENTS
25.	PRECINCT REGISTERS	4 years Offer to State Archives if 65 years or older	Historic value
26.	ELECTIONS – REGISTRATION a. Voter Confirmation Card – returned as undeliverable b. Cancellation Notice from other Counties or States c. Death Notice from other Counties or States d. Lists of Purged Voters – canceled voters purged from the statewide system by SOS.	a. 5 years b. 4 years c. 4 years d. 5 years	Disposal Form RM88*
27.	REGISTRATION CARDS	Permanent- Original and latest change of address or cancellation	Microfilm if possible
28.	RESOLUTIONS CALLING FOR ELECTION a. special district b. school c. county	Original- Permanent Duplicate copies- 1 year	

\* In addition to retaining the ballots, you will need to keep any electronic device or related software necessary to read the ballots. For example, if you use a ballot that does not have the names of the candidates printed directly on the ballot, but use an electronic counting board to do the canvass, you need to save the counting board. You will need to retain anything necessary to run a recount.

\*\* Unless a court action is pending on the sufficiency of the petition.

\*\*\*FEC Regulations require everything pertaining to Federal elections must be retained for 22 months

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### ER7

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**MONTANA LOCAL GOVERNMENT RETENTION SCHEDULE**

**DEPARTMENT: ELECTIONS**

<i>Revisions to Schedule</i>				
Date	Revision	Change		
11-2003	1	<p>ITEM 5 <u>BALLOTS –COUNTY AND LOCAL GOVERNMENT</u>  <b>Added:</b>                      c. Unverified Provisional ballots                      d. Verified Provisional ballot secrecy envelopes and outer affirmation envelope  <b>Retention</b> time for c. and d. 1 year</p> <p>ITEM 6 <u>BALLOTS –STATE AND FEDERAL</u>  <b>Added:</b>                      c. Unverified Provisional ballots                      d. Verified Provisional ballot secrecy envelopes and outer affirmation envelope  <b>Retention</b> time for c. and d. 2 years</p>		
10-2006	2	<p>ITEM 1 <u>ABSENTEE BALLOT LOGS</u>  <b>Revised:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>a. Voter’s Absentee ballot request-county and local elections</li> <li>b. Voter’s absentee ballot request-state and federal elections</li> <li>c. Election administrator’s certification of absentee ballots issued</li> <li>d. Voter’s request to be on permanent absentee list</li> <li>e. Confirmation letter to permanent absentee voter</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>a. 1 year if no recount is pending.</li> <li>b. 2 years if no recount is pending.</li> <li>c. 1 year for county &amp; local elections; 2 years for state and federal elections.</li> <li>d. Permanent</li> <li>e. 1 year for county &amp; local elections; 2 years for state and federal elections.</li> </ul> </td> </tr> </table> <p><b>Deleted Citation:</b>                      4 years see MCA 13-13-233</p> <p>ITEM 2 <u>ABSENTEE BALLOT ENVELOPES</u></p>	<ul style="list-style-type: none"> <li>a. Voter’s Absentee ballot request-county and local elections</li> <li>b. Voter’s absentee ballot request-state and federal elections</li> <li>c. Election administrator’s certification of absentee ballots issued</li> <li>d. Voter’s request to be on permanent absentee list</li> <li>e. Confirmation letter to permanent absentee voter</li> </ul>	<ul style="list-style-type: none"> <li>a. 1 year if no recount is pending.</li> <li>b. 2 years if no recount is pending.</li> <li>c. 1 year for county &amp; local elections; 2 years for state and federal elections.</li> <li>d. Permanent</li> <li>e. 1 year for county &amp; local elections; 2 years for state and federal elections.</li> </ul>
<ul style="list-style-type: none"> <li>a. Voter’s Absentee ballot request-county and local elections</li> <li>b. Voter’s absentee ballot request-state and federal elections</li> <li>c. Election administrator’s certification of absentee ballots issued</li> <li>d. Voter’s request to be on permanent absentee list</li> <li>e. Confirmation letter to permanent absentee voter</li> </ul>	<ul style="list-style-type: none"> <li>a. 1 year if no recount is pending.</li> <li>b. 2 years if no recount is pending.</li> <li>c. 1 year for county &amp; local elections; 2 years for state and federal elections.</li> <li>d. Permanent</li> <li>e. 1 year for county &amp; local elections; 2 years for state and federal elections.</li> </ul>			

ER8

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## *Revisions to Schedule*

Date	Revision	Change
10-2006 (cont.)	2 (cont.)	<p><b>Changed:</b> Retention time - 1 year</p> <p>ITEM 3 <u>ADDRESS CONFIRMATION CARDS</u> <b>Added:</b> “or because mail ballot was returned as undeliverable.”</p> <p>ITEM 5 <u>AUDIT LOG</u> <b>New</b> (all items after this are renumbered)</p> <p>ITEM 6 <u>AUTOMARK FLASHCARD</u> <b>New</b></p> <p>ITEM 7 <u>BALLOTS-COUNTY AND LOCAL GOVERNMENT</u> <b>Deleted</b> from: a. “Includes signed affirmation envelopes and undelivered or returned envelopes from mail ballot elections”</p> <p>ITEM 8 <u>BALLOTS-STATE AND FEDERAL</u> <b>Deleted</b> from a. : “Includes signed affirmation envelopes and undelivered or returned envelopes from mail ballot elections”</p> <p>ITEM 9 <u>CANDIDATE FILING SHEETS OR PETITIONS</u> <b>Replaced:</b> “SHEETS” with “FORMS” <b>Deleted :</b> Retention Time - “Terms of office” <b>Comments added:</b> “See Clerk and Records Retention Schedule for filing and retention time of candidates financial statements and oaths of office.”</p> <p>ITEM 15 <u>ELECTRONIC DEVICE</u> <b>New</b></p> <p>ITEM 16 <u>INVOICES FOR ELECTION COSTS</u> <b>New</b></p>
10-2009	3	<p>ITEM 7 <u>BALLOTS –COUNTY AND LOCAL GOVERNMENT</u> &amp; ITEM 8 <u>BALLOTS – BALLOTS –STATE AND FEDERAL</u> <b>Added to:</b> a. “...and detached stubs”</p>
4-2010	4	<p><u>FACE SHEET</u> <b>Correction:</b> Changed adopted date from April 2005 to August 1996 &amp; added Rev. 1.4 April 2010</p> <p>ITEM 7 <u>BALLOTS –COUNTY AND LOCAL GOVERNMENT</u> <b>Added:</b> e. Test Ballots-Automark; Retention: 1 year</p>

### ER9

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## *Revisions to Schedule*

Date	Revision	Change															
4-2010 (cont.)	4 (cont.)	<p>ITEM 8 <u>BALLOTS – BALLOTS –STATE AND FEDERAL</u>  <b>Added:</b>                      e. Test Ballots-Automark; Retention: 2 years</p> <p><b>NEW ITEMS:</b> 12, 13, 14, 17, and 23  <b>Note: all items starting with # 12 are renumbered.</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">12.</td> <td>CERTIFICATION OF AUTOMARK TESTING</td> <td style="text-align: center;">2 years if no recount is pending</td> </tr> <tr> <td style="text-align: center;">13.</td> <td>CERTIFICATION OF TABULATION EQUIPMENT TESTING</td> <td style="text-align: center;">2 years if no recount is pending</td> </tr> <tr> <td style="text-align: center;">14.</td> <td>ELECTION SEAL LOG</td> <td style="text-align: center;">2 years if no recount is pending</td> </tr> <tr> <td style="text-align: center;">17.</td> <td>M 100 TAPE ROLLS- Tracks all activity on the M 100 machine.</td> <td style="text-align: center;">2 years if no recount.</td> </tr> <tr> <td style="text-align: center;">23.</td> <td>POST ELECTION AUDIT RECONCILIATION AND REPORT TO SECRETARY OF STATE</td> <td style="text-align: center;">2 years if no recount is pending</td> </tr> </table>	12.	CERTIFICATION OF AUTOMARK TESTING	2 years if no recount is pending	13.	CERTIFICATION OF TABULATION EQUIPMENT TESTING	2 years if no recount is pending	14.	ELECTION SEAL LOG	2 years if no recount is pending	17.	M 100 TAPE ROLLS- Tracks all activity on the M 100 machine.	2 years if no recount.	23.	POST ELECTION AUDIT RECONCILIATION AND REPORT TO SECRETARY OF STATE	2 years if no recount is pending
12.	CERTIFICATION OF AUTOMARK TESTING	2 years if no recount is pending															
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14.	ELECTION SEAL LOG	2 years if no recount is pending															
17.	M 100 TAPE ROLLS- Tracks all activity on the M 100 machine.	2 years if no recount.															
23.	POST ELECTION AUDIT RECONCILIATION AND REPORT TO SECRETARY OF STATE	2 years if no recount is pending															
5-2012	5	<p><b>Changed:</b>                      ITEM 26 to <u>ELECTIONS – REGISTRATION</u>                      a. Voter Confirmation Card – returned as undeliverable (5yrs)                      b. Cancellation Notice from other Counties or States (4 yrs)                      c. Death Notice from other Counties or States (4 yrs)</p> <p><b>Moved:</b>                      Former ITEM 26 <u>REGISTRATION CARDS</u> to ITEM 27                      Former ITEM 27 <u>RESOLUTIONS CALLING FOR ELECTION</u> to ITEM 28</p>															
5-2013	6	<p>ITEM 26 <u>ELECTIONS – REGISTRATION</u>  <b>Added:</b>                      d. Lists of Purged Voters – canceled voters purged from the statewide system by SOS (5 years)</p> <p>ITEM 3 <u>ADDRESS CONFIRMATION CARDS</u>  <b>Changed:</b>                      Retention period from “Permanent- Microfilm if possible” to “2 years”.</p> <p>ITEM 2 <u>ABSENTEE BALLOT LOGS</u>  <b>Deleted:</b>                      d. Voter’s request to be on permanent absentee list (Permanent)</p> <p><b>Changed:</b>                      Confirmation letter to permanent absentee voter to d.; the word “permanent” to “annual”; retention time from “1 year for county &amp; local elections; 2 years for state and federal elections” to “1 year”.</p>															

ER10

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<i>Revisions to Schedule</i>		
Date	Revision	Change
4-2019	7	ITEM 9 <u>ELECTIONS – BIPA BALLOT COLLECTION REGISTRY FORM</u> <u>New</u>

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ER11

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