

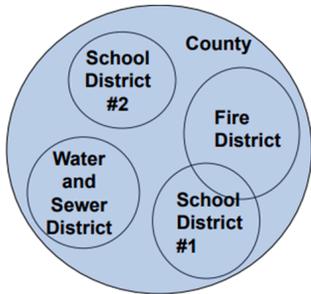
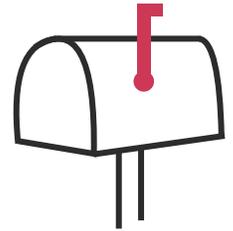
MAIL BALLOT ELECTION PROCESS



CHRISTI JACOBSEN
MONTANA SECRETARY OF STATE

OVERVIEW:

- 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.



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.

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

MAIL BALLOT ELECTIONS

Mail ballot elections are never required. They can be initiated by either the governing body or the election administrator.

MAIL BALLOT ELECTION INITIATED BY GOVERNING BODY

- 1 Governing body sends request for mail ballot election to Election Administrator no later than 70 days before the election.
- 2 EA responds in writing within 5 days.
- 3 If granted, EA prepares written plan at least 60 days prior to the election.

MAIL BALLOT ELECTION INITIATED BY ELECTION ADMINISTRATOR

- 1 Election Administrator prepares written plan at least 60 days prior to the election.
- 2 EA forwards the written plan, a statement with reasons to conduct the election by mail ballot, and a statement informing the governing body of their right to object to the governing body.
- 3 Governing body can object by passing a resolution no later than 55 days prior to election day.

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MAIL BALLOT WRITTEN PLAN, TIMETABLE, AND INSTRUCTIONS

- The written plan and timetable must be posted to the county website, or publicly noticed in another way at least 60 days prior to the election.

MAIL BALLOT ELIGIBILITY

- Any registered elector must be either active or provisionally registered to be qualified
 - Inactive electors are not sent ballots.
 - Provisionally registered electors are sent provisionally registered elector instructions and elector ID forms with their ballot.
- In certain elections, individuals who own property in the political subdivision can vote even if they are not registered electors. See local election statute for election-specific requirements.

MAIL BALLOT ABSENTEE

- A qualified elector who is absent from the county during the election may:
 - vote in person until noon the day that ballots are scheduled to be mailed
 - make a written request to request a ballot at a different address
- Written requests must be accepted before 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.

MAIL BALLOT PREPARATION

- A mail ballot packet should contain:
 - An individually stamped official ballot/set of ballots
 - a secrecy envelope
 - a signature envelope
 - complete written instructions



MAIL INFORMATION

- Mail ballots are sent on a single day between 20-15 days before the election to all currently registered electors.
- The election administrator may send ballots to military and overseas voters as soon as they are available.

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:
 - sealed in the secrecy envelope and returned in the signature envelope
 - elector's signature and birthdate on the ballot signature envelope are verified
 - it is received before 8 p.m. on election day
 - **Exceptions:** Electronic **UOCAVA** ballots transmitted by 8 pm on election day and received by 5 pm the following day, **AND FWAB** ballots which are sent by 8 pm on election day and received by 3 pm on the Monday following the election may be counted.
- 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 must be made no later than 8 pm on election day by submitting a prescribed form to the EA: in person, by regular/electronic mail, or facsimile.

LATE REGISTRANTS

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

INACTIVE VOTERS

- Inactive electors are not sent mail ballots.
- Inactive electors must reactivate in person at the County Election Office to request an absentee ballot or notify the EA in writing with a current address.

UNDELIVERABLE BALLOTS

- Mail Ballots returned undeliverable should not be forwarded unless the elector confirms their mailing address in writing or verbally.
- The EA should attempt to contact the elector.
- If the elector cannot be reached to update their address, the EA must send a non-forwardable notice.
- If the notice is returned undeliverable, the elector must be placed on the inactive list until the elector becomes a qualified elector.

PLACE OF DEPOSIT

- The EA designates the place(s) of deposit, which includes the election office.
- Before election day, ballots may be returned to any designated place of deposit.
- On election day, each place of deposit must be open during the same hours that polling places would be open.
- Each place of deposit must be staffed by at least two election officials who are selected in the same manner as election judges.

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. DOES THE WRITTEN PLAN NEED TO BE SENT TO SOS?

A. No - SOS does not receive the written plan; the plan must be posted publicly.

