



Frequently Asked Questions

Montana – General Election 2022

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Disclaimer: This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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REGISTERING TO VOTE

1. **ELIGIBILITY:** Can I register to vote?

A person can determine whether they are eligible to register to vote by visiting the Montana Secretary of State's [website](#) and scrolling down to the [Who Can Vote](#) section.

To Register to vote in Montana, individual must:

- Be 18 years old or older on or before the next election.
- Be a U.S. Citizen.
- Have lived in Montana for at least 30 days.
- Be a resident of Montana and of the county in which you plan to vote at least 30 days before the election.

Registration is not permitted, if Individual:

- If a convicted felon is serving a sentence in a penal institution.
- Is determined by a court of law to be mentally incompetent.

2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I have to be a member of a party to vote in its primary?

Montana is an "open primary" state. A voter can choose the party's ballot he/she wishes to vote. This decision does not register him/her with that party, and the decision is private.

3. **STATUS:** Am I registered to vote?

A voter can determine whether they are registered to vote by checking the Montana Secretary of State's "My Voter Page" website (<https://app.mt.gov/voterinfo/>) and inputting their first name, last name, and date of birth.

4. **HOW:** [How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?](#)

To register to vote, a voter can do any of the following:

- visiting their county election office Monday through Friday between 8:00 AM and 5:00 PM to complete a registration form;
- filling out and signing a voter registration application and dropping it off at their county election office, or mailing it to the county election administrator; or
- filling out and signing a registration form when they apply for or renew their driver's license or Montana ID.¹

The Voter Registration Application can be found here: https://sosmt.gov/wp-content/uploads/Montana_Voter_Registration_Application.pdf along with the mailing address for each election administrator.

5. **IDENTIFICATION:** [What ID is required to register to vote?](#)

Voters must provide one of the following in order to register to vote:

- Montana Driver's License or Montana ID card number;
- the last 4 digits of their social security number;
- a military ID card, tribal photo ID card, United States passport, or a Montana concealed carry permit; or
- a photo ID that shows their name (this can be a ski area season pass, school enrollment card, shopping membership card, etc. as long as it shows both name and photo), **AND** one of the following current documents that shows their name and current address: bank statement, paycheck stub, current utility bill, bank statement, government check, or government document.²

6. **DEADLINES:** [When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?](#)

Regular registration closes 30 days before the election, however, voters can still register and vote in the election by late registration at their county election office or designated location until noon the day prior to the election.

The primary election was held on June 7th 2022. Registration forms postmarked by this deadline and received within 3 days after regular registration is closed are accepted for regular registration.³ The deadline for regular voter registration for the November 8, 2022, general election is October 11, 2022.⁴ Registration forms postmarked by this date and received within 3 days are accepted for regular registration.⁵

¹ Mont. Code Ann. § 13-2-201.

² Mont. Code Ann. § 13-2-110(4)(b); <https://sosmt.gov/voter-id/voter-registration-id-options/>.

³ Mont. Code Ann. § 13-2-301.

⁴ <https://sosmt.gov/elections/faq/>.

⁵ Mont. Code Ann. § 13-2-301.

Late Registration

If a voter misses this deadline, they may register and vote in the election by late registering at their county election office or designated location, no later than noon on the day before the election.⁶

7. SAME DAY: [Does my state have Same Day Registration? If so, what is the process?](#)

In the 2022 General Election, pursuant to a September court order, an elector may register or change the elector’s voter registration information after the close of regular registration as provided in 13-2-301 and vote in the election if the election administrator in the county where the elector resides receives and verifies the elector’s voter registration information prior to the close of the polls on election day.⁷

Pursuant to a September 30, 2022, District Court Order, registrations before the close of polls on Election Day will be processed.

Before an elector is permitted to receive a ballot or vote, the elector shall present to an election judge a current photo identification showing the elector’s name. If the elector does not present photo identification, including but not limited to a valid driver’s license, a school district or postsecondary education photo identification, or a tribal photo identification, the elector shall present a current utility bill, bank statement, paycheck, notice of confirmation of voter registration issued pursuant to **13-2-207**, government check, or other government document that shows the elector’s name and current address.

8. PERMANENT MOVE: [I have moved permanently and I didn’t update my voter registration, can I vote?](#)

Refer to the table below. The answer to this question depends on whether the voter moved within the same county/election jurisdiction or moved to a new county.

| Moved within the same precinct | Moved to a different precinct but within the same county | Moved to a different county |
|---|---|---|
| The voter should go to the polling place for that precinct. | The voter is entitled to cast a regular vote at the polling place, an absentee ballot, or a mail ballot in the precinct where the voter is registered. The voter may only do this for the first election after their move. Furthermore, the voter must state their new address when offering to vote, and must complete a transfer form or new registration form to make the necessary correction | The voter must register in the new county of residence in order to vote. However, a voter who moved to a different county 30 days or less before an election may (i) vote in person or by absentee ballot in the precinct and county where previously registered; or (ii) update the voter’s registration information |

⁶ Mont. Code Ann. § 13-2-304.

⁷ [Montana Secretary of State Page. Elections and Voting.](#)

| | | |
|--|--|---|
| | before being allowed to vote in a polling place election. ⁸ | and vote in the voter's new county of residence. ⁹ |
|--|--|---|

9. TEMPORARY MOVE: I have moved temporarily. How can I vote?

Refer to the “Moved to a different county” column in the table above.

10. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

If the voter is a student attending college in another county, he or she can:

- choose to vote in their county of permanent residence, either in person at the polls or by absentee ballot; or
- register in the county where they are going to college and vote in that county.

If the voter is an out-of-state student attending school in Montana and has lived in Montana for at least 30 days, the voter may either:

- become a Montana resident and vote in the county where they are attending school; or
- vote in their original state.

A student may not vote in two states.

11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

The Military and Overseas Citizens Absentee Voting Act (UOCAVA) covers the following voters:

- members of the Uniformed Services or Merchant Marine on active duty;
- spouses and dependents of a member of the Uniformed Services or Merchant Marine on active duty;
- U.S. citizens residing outside the U.S.; and
- other individuals included in the definition of “absent uniformed services voter” and “overseas voter” under Montana law.¹⁰

UOCAVA voters who are already registered to vote in Montana may apply for a military-overseas ballot by:

- using a regular absentee ballot application for the voter's jurisdiction;
- using a Federal Post Card Application (FPCA);
- making a written request, which must include the voter's birth date and signature; or
- making an electronic request that includes the voter's birth date and affirmation of the voter's eligibility to vote under the Monday Absent Uniformed and Overseas Voters Act.¹¹

UOCAVA voters who are not yet registered may use a FPCA to simultaneously register to vote and request a military-overseas ballot.

⁸ Mont. Code Ann. § 13-2-512.

⁹ Mont. Code Ann. § 13-2-514.

¹⁰ Mont. Code Ann. § 13-21-102.

¹¹ Mont. Code Ann. §13-21-222.

FPCAs may be completed and submitted online with the Secretary of State’s Electronic Absentee System (EAS). The EAS is available **45 days before federal elections, through 8:00 PM on Election Day**. FPCAs can also be returned to the voter’s county election office via email, fax and mail. The FPCA and related information can be found on the [Federal Voting Assistance Program](#) website.¹²

12. CRIMINAL CONVICTION: [I have a criminal conviction. Can I register to vote?](#)

Yes, as long as the voter is not currently incarcerated for a felony.

Once released convicted persons are again eligible to vote. Returning citizens can vote if on probation or parole. Once released from the penal institution, a returning citizen should re-register to vote. This is because the law allows a person incarcerated for a felony to be removed from the list of registered voters.

13. INCARCERATED: [I am currently incarcerated. Can I register to vote?](#)

No. A person convicted of a felony does not have a right to vote while the person is serving a sentence in a penal institution.¹³

HOW TO VOTE: ELECTION DAY

14. HOURS: [When do the polls open/close on Election Day?](#)

Polling places must be open between the hours of 7:00 AM and 8:00 PM on Election Day. However, there is an exception for a polling place with fewer than 400 registered voters, which must be open from at least noon to the earlier of 8:00 PM or until all registered voters in any precinct have voted, at which time that precinct must close immediately.¹⁴

15. POLLING LOCATION: [Where do I vote on Election Day?](#)

The voter can find their polling place at the Montana Secretary of State’s “My Voter Page” website (<https://app.mt.gov/voterinfo/>).

If a voter has moved recently and has not updated their voter registration, refer to the below chart:

| Moved within the same precinct | Moved to a different precinct but within the same county | Moved to a different county |
|---|--|--|
| The voter should go to the polling place for that precinct. | The voter is entitled to cast a regular vote at the polling place, an absentee ballot, or a mail ballot in the precinct where the voter is registered. | The voter must register in the new county of residence in order to vote. However, a voter who moved to a different |

¹² Mont. Code Ann. § 13-21-221; <https://sosmt.gov/elections/military-overseas/#registering-to-vote>

¹³ Mont. Code Ann. § 13-1-111(2).

¹⁴ Mont. Code Ann. § 13-1-106.

| | | |
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| | The voter may only do this for the first election after their move. Furthermore, the voter must state their new address when offering to vote, and must complete a transfer form or new registration form to make the necessary correction before being allowed to vote in a polling place election. ¹⁵ | county 30 days or less before an election may (i) vote in person or by absentee ballot in the precinct and county where previously registered; or (ii) update the voter's registration information and vote in the voter's new county of residence. ¹⁶ |
|--|--|---|

16. CLOSING: What if the polls close when I am already in line?

As long as the voter is in line by 8:00 PM, they must be allowed to vote.

17. IDENTIFICATION: What identification is required to vote?

When voting at the polls, the voter must present a current ID, including but not limited to:

- A Montana driver's license, Montana state identification card, military identification card, tribal photo identification card, United States passport, or Montana concealed carry permit; or
- A current utility bill, bank statement, paycheck, government check, or other government document showing the voter's current name **and** current address **AND** photo identification that shows the voter's name (including, but not limited to a school district or postsecondary education photo ID, a ski area season pass, health club membership card, shopping membership card, etc. as long as it includes both the voter's name and photo).¹⁷

18. NO IDENTIFICATION: Can I vote without providing identification?

Yes, voters can still vote without providing identification, but to do so, they will have to request and fill out a "Polling Place Elector ID" form.¹⁸ Even if the information provided by the voter differs from the information in the precinct registration a voter will be allowed to sign the precinct register, complete a new registration form and vote if the election official determines that the information sufficiently verifies the voter's identity.¹⁹ Alternatively, the voter can cast a provisional ballot, but this should be a last resort.

19. NOT ON ROLLS AT MY POLLING PLACE: I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

If the voter's name does not appear in the precinct register book and the voter's eligibility to vote cannot otherwise be established by presenting the identification required (see question 3), the voter is entitled to cast a provisional ballot.²⁰ However, casting a provisional ballot is a last resort, and before doing so the voter should attempt to determine whether they are in fact voting in the correct precinct and why their name is

¹⁵ Mont. Code Ann. § 13-2-512.

¹⁶ Mont. Code Ann. § 13-2-514.

¹⁷ Mont. Code Ann. § 13-13-114.

¹⁸ Mont. Admin. R. § 44.3.2110(2)(b); <https://sosmt.gov/docs/732/elections/47011/polling-place-electro-id.pdf>

¹⁹ Mont. Code Ann. § 13-13-114(1)(c).

²⁰ Mont. Code Ann. § 13-13-114.

missing from the precinct register book. A provisional ballot is only counted when cast at the precinct in which the voter is registered.²¹

20. PROVISIONAL BALLOT: If I don't have an ID, can I request a provisional ballot? My name is not on the rolls at my polling place, can I request a provisional ballot?

Yes, a provisional ballot may be obtained, if the voter has no ID or their provided ID is insufficient.²²

HOW TO VOTE: EARLY VOTING

(in some states called "in-person absentee")

21. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)?

Montana does not have "true" early voting, but a voter may go to their local election office and request, obtain, and vote an absentee ballot in-person²³.

22. ELIGIBILITY: Do I have to have a reason to vote early?

Early-in person absentee voting does not require a reason and starts as soon as ballots are available (no later than 30 days prior to an election). However, these ballots will not be counted until election day.²⁴

23. WHEN: When does early voting begin/end?

Early in person absentee voting starts 25 days before election day ends by 8:00 PM on Election Day.²⁵

24. WHERE: Where do I vote during early voting?

For both in person and mailed in absentee ballots, the voter must return the ballot with appropriate enclosures by regular mail or by delivering it in person by 8pm on Election Day to:

- The county election office;
- A polling place within the voter's county; or
- The absentee election board or an authorized election official.²⁶

The voter may designate another person to pick up their absentee ballot on their behalf by completing the required section of the application. See a sample absentee ballot [here](#).

²¹ Mont. Code Ann. § 13-15-107(3); 13-13-114.

²² Mont. Code Ann. § 13-13-114(2).

²³ <https://sosmt.gov/elections/faq/#absentee-voting>.

²⁴ <https://sosmt.gov/elections/faq/#absentee-voting>.

²⁵ Mont. Code Ann. § 13-13-205; <https://sosmt.gov/elections/absentee/>

²⁶ Mont. Code Ann. § 13-13-201(2)(e)(i)-(iii); S.B. 148, 66th Leg., Reg. Sess. (2019) (enacted),

<https://leg.mt.gov/bills/2019/billpdf/SB0148.pdf>;

<https://sosmt.gov/wp-content/uploads/attachments/Absentee-Voting-Instructions.pdf?dt=1519325225636>

25. IDENTIFICATION: What identification is required for early voting? What if I don't have an ID?

There are only identification requirements for returning an absentee ballot, but not for submitting the ballot application. When returning the absentee ballot, the following identification within the outer signature envelope along with the voted ballot in the secrecy envelope can be provided:

- Montana driver's license number, Montana state I.D. or the person's last four digits of their social security number,
- A readable copy of their military identification card, a tribal photo identification, a U.S. passport, a Montana college or University identification card, or a Montana conceal and carry permit, or
- Any form of readable photo identification with the individual's name.²⁷

HOW TO VOTE: VOTE BY MAIL

26. AUTOMATIC MAIL BALLOT: Will I automatically be sent a ballot in the mail?

Voters must print and fill out an Application for Absentee Ballot from the Secretary of State website [here](#), fill it out, and drop it off at the county election office or fax or mail the form to your county election office.²⁸

27. ELIGIBILITY: Do I need a specific reason to vote by mail?

No, anyone may request an absentee ballot without a reason.²⁹

28. APPLICATION DEADLINE: What is the deadline for requesting a mail-in ballot?

Mail-in ballots may be requested by October 11, 2022³⁰.

29. APPLICATION RETURN: How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

For both in person and mailed in absentee ballots, the voter must return the ballot with appropriate enclosures by regular mail or by delivering it in person by 8pm on Election Day to:

- The county election office;
- A polling place within the voter's county; or
- The absentee election board or an authorized election official.³¹

²⁷ Mont. Code Ann. § 13-13-602(a)-(c)(ii).

²⁸ <https://sosmt.gov/elections/faq/#absentee-voting>

²⁹ Mont. Code Ann. § 13-13-212(1)(a).

³⁰ <https://sosmt.gov/elections/vote/#1641574992907-9dee3295-aa37>

³¹ Mont. Code Ann. § 13-13-201(2)(e)(i)-(iii); S.B. 148, 66th Leg., Reg. Sess. (2019) (enacted),

<https://leg.mt.gov/bills/2019/billpdf/SB0148.pdf>;

<https://sosmt.gov/wp-content/uploads/attachments/Absentee-Voting-Instructions.pdf?dt=1519325225636>

The voter may designate another person to pick up their absentee ballot on their behalf by completing the required section of the application. See a sample absentee ballot [here](#).

30. IDENTIFICATION: [Are there identification requirements when I return my absentee ballot application and/or ballot?](#)

Yes, but there are only identification requirements for returning an absentee ballot, but not for submitting the ballot application. When returning the absentee ballot, the following identification within the outer signature envelope along with the voted ballot in the secrecy envelope can be provided:

- Montana driver's license number, Montana state I.D. or the person's last four digits of their social security number,
- A readable copy of their military identification card, a tribal photo identification, a U.S. passport, a Montana college or University identification card, or a Montana conceal and carry permit, or
- Any form of readable photo identification with the individual's name.³²

31. RECEIVING MAIL BALLOT: [Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?](#)

The ballot can be sent to a mailing address designated by the voter.

32. MISSED THE APPLICATION DEADLINE: [What if I have not requested a mail-in ballot by the deadline?](#)

If the voter has not requested their absentee ballot by 12:00 PM the day before Election Day, they must vote in person.

However, if the voter suddenly becomes ill or has a health emergency that occurs between 5:00 PM. on the Friday before the election and before the polls close on election day, they may ask their county election administrator to have a special absentee election board bring an absentee ballot to them.³³

33. STATUS OF APPLICATION AND/OR BALLOT: [How can I check the status of my application and/or mail-in ballot?](#)

Voters can check the status of their application, absentee ballot and voting registration at the Montana Secretary of State's "My Voter Page" website (<https://app.mt.gov/voterinfo/>).

34. APPLICATION OR BALLOT REJECTED: [I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?](#)

Voters should be given notice as soon as possible, by the election administrator, that there is a problem with their absentee ballot. Upon receiving such notice and before 8:00 PM on Election Day, such voter may either:

- resolve the issue, confirm validity of the ballot, etc.,³⁴ or

³² Mont. Code Ann. § 13-13-602(a)-(c)(ii).

³³ <https://sosmt.gov/elections/faq/#absentee-voting>.

³⁴ Mont. Code Ann. § 13-13-245(2)(a).

- request and receive a replacement ballot.³⁵

35. COMPLETING BALLOT: How do I complete the mail-in ballot?

Instructions for completing and returning the absentee ballot will be included in the absentee ballot packet the voter receives.³⁶ The voter will need to sign their ballot **and** the affirmation on the return envelope. Instructions are also available online at: <https://sosmt.gov/wp-content/uploads/attachments/Absentee-Voting-Instructions.pdf?dt=1519325225636>

36. ASSISTANCE COMPLETING BALLOT: Can someone assist me in filling out my ballot?

Yes, if the voter is disabled, they may have their designated agent assist in filling out their ballot.³⁷ However, if the voter does not have an agent, they must be declared under oath, which must be administered by an election judge as disabled.³⁸ Once declared disabled, the voter may be assisted by two election judges, who are appointed by the chief election judge, to mark the ballot and sign their name by the voter's name to show that they assisted the voter.³⁹

37. DEADLINE TO RETURN BALLOT: What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

No, ballots can be mailed regularly (no specified postmark date required) or returned in person but must be submitted by the election administrator's office prior to 8:00 PM on Election Day. In person drop offs of ballots can be made in person, to a county election office or any designated place for submission by the election administrator.⁴⁰

38. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a ballot (instead of mailing it)?

A list of election offices where voters may drop off completed absentee ballots can be found [here](#).

39. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

That person must be related to the voter as a caregiver, family member, household member, or acquaintance.⁴¹ Any person dropping off a ballot for someone else must sign the Ballot Collector Registry form on the back of the absentee ballot instructions.⁴²

40. LOST OR SPOILED BALLOT: What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

³⁵ Mont. Code Ann. § 13-13-204(2)(a).

³⁶ <https://sosmt.gov/elections/absentee/>.

³⁷ Mont. Code Ann. § 13-13-119(1); Mont. Code Ann. § 13-13-119(2).

³⁸ Mont. Code Ann. § 13-13-119(a)

³⁹ Mont. Code Ann. § 13-13-119(a)

⁴⁰ <https://sosmt.gov/elections/faq/#mail-ballot-elections>

⁴¹ Mont. Code Ann. §13-35-703.

⁴² Mont. Code Ann. §13-35-704.

A voter may request a replacement ballot if their ballot is lost, spoiled, destroyed, or not received by the voter.⁴³ Alternatively, the voter may go to their appropriate polling place on Election Day and vote in person after being issued a provisional ballot.⁴⁴

41. NON-RECEIPT OF BALLOT: What if I requested a mail-in ballot but have not received it? What are my options for voting?

A voter may request a replacement ballot if their ballot is not received by the voter.⁴⁵ Alternatively, the voter may go to their appropriate polling place on Election Day and vote in person after being issued a provisional ballot.⁴⁶

42. IN PERSON OPTION: What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

As long as the voter has not already submitted the absentee ballot, the voter will be allowed to cast a provisional ballot.⁴⁷

HOW TO VOTE: ABSENTEE

43. ELIGIBILITY: Am I eligible to request an absentee ballot?

As long as the individual is a registered or a provisionally registered voter, they may vote using an absentee ballot.⁴⁸

44. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

Absentee ballots can be requested up until 1 day before Election Day. The application for an absentee ballot must be submitted to the election administrator of the applicant's county of residence before noon on the day before Election Day.⁴⁹ Election administrators must make absentee ballots available beginning 30 days prior to Election Day for those voting absentee in person, and 25 days prior to Election Day for mailing ballots if the election is to be conducted on a primary or general Election Day.⁵⁰

⁴³ Mont. Code Ann. § 13-13-204(2)(a).

⁴⁴ Mont. Code Ann. § 13-13-204(2)(b).

⁴⁵ Mont. Code Ann. § 13-13-204(2)(a).

⁴⁶ Mont. Code Ann. § 13-13-204(2)(b).

⁴⁷ Mont. Code Ann. § 13-13-204. Moreover, an absentee voter is no longer required to return any unvoted ballot for primary election. S.B. 101, 66th Leg., Reg. Sess. (2019) (enacted), <https://leg.mt.gov/bills/2019/billpdf/SB0101.pdf>.

⁴⁸ Mont. Code Ann. § 13-13-201(1); <https://sosmt.gov/elections/faq/#absentee-voting>

⁴⁹ Mont. Code Ann. §§ 13-13-211(1).

⁵⁰ Mont. Code Ann. § 13-13-205(1)(a) (There is only a 20 day requirement for special purpose district or school district elections.).

45. IDENTIFICATION: Are there any identification requirements?

Instructions for completing and returning the absentee ballot will be included in the absentee ballot packet the voter receives.⁵¹ The voter will need to sign their ballot **and** the affirmation on the return envelope. Instructions are also available online at: <https://sosmt.gov/wp-content/uploads/attachments/Absentee-Voting-Instructions.pdf?dt=1519325225636>

46. EMERGENCY: Is there an emergency absentee ballot? If so, am I eligible?

If the voter suddenly becomes ill or has a health emergency that occurs between 5:00 PM of the Friday before the election and before the polls close on election day, they may ask their county election administrator to have a special absentee election board bring an absentee ballot to them.⁵² A registered voter may request by phone, facsimile transmission or by other means, to have a ballot and application personally delivered or mailed to the address in their initial application⁵³.

47. APPLICATION RETURN: Where and how can I return my absentee ballot application? Can someone return it for me?

Ballots can be mailed regularly (no specified postmark date required) or returned in person but must be submitted by the election administrator's office prior to 8:00 PM on Election Day. In person drop offs of ballots can be made in person, to a county election office or any designated place for submission by the election administrator.⁵⁴

A person related to the voter as a caregiver, family member, household member, or acquaintance may drop off the ballot.⁵⁵ Any person dropping off a ballot for someone else must sign the Ballot Collector Registry form on the back of the absentee ballot instructions.⁵⁶

48. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my absentee ballot application and/or absentee ballot return?

Voters can check the status of their application, absentee ballot and voting registration at the Montana Secretary of State's "My Voter Page" website (<https://app.mt.gov/voterinfo/>).

49. APPLICATION OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

Voters should be given notice as soon as possible, by the election administrator, that there is a problem with their absentee ballot. Upon receiving such notice and before 8:00 PM on Election Day, such voter may either:

- resolve the issue, confirm validity of the ballot, etc.,⁵⁷ or
- request and receive a replacement ballot.⁵⁸

⁵¹ <https://sosmt.gov/elections/absentee/>.

⁵² <https://sosmt.gov/elections/faq/#absentee-voting>.

⁵³ Mont. Code Ann. § 13-13-212(2)(b); Mont. Code Ann. § 13-13-212(3).

⁵⁴ <https://sosmt.gov/elections/faq/#mail-ballot-elections>

⁵⁵ Mont. Code Ann. §13-35-703.

⁵⁶ Mont. Code Ann. §13-35-704.

⁵⁷ Mont. Code Ann. § 13-13-245(2)(a).

⁵⁸ Mont. Code Ann. § 13-13-204(2)(a).

Voters can confirm this by visiting the “My Voter Page” website (<https://app.mt.gov/voterinfo/>).

50. COMPLETING BALLOT: How do I complete the absentee ballot?

Instructions for completing and returning the absentee ballot will be included in the absentee ballot packet the voter receives.⁵⁹ The voter will need to sign their ballot **and** the affirmation on the return envelope. Instructions are also available online at: <https://sosmt.gov/wp-content/uploads/attachments/Absentee-Voting-Instructions.pdf?dt=1519325225636>

51. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?

Yes, anyone can assist a voter in filling out their absentee ballot other than an employer, employer’s agent or a union agent. If the voter is disabled, they may have their designated agent assist in filling out their ballot.⁶⁰ However, if the voter does not have an agent, they must be declared under oath, which must be administered by an election judge as disabled.⁶¹ Once declared disabled, the voter may be assisted by two election judges, who are appointed by the chief election judge, to mark the ballot and sign their name by the voter’s name to show that they assisted the voter.⁶²

52. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

The application for an absentee ballot must be submitted to the election administrator of the applicant’s county of residence before noon on the day before Election Day.⁶³

53. BALLOT DROP OF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?

An absentee ballot can be dropped off in person at a voting station designated by the county administrator.⁶⁴

54. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?

Yes, that person must be related to the voter as a caregiver, family member, household member, or acquaintance. Any person dropping off a ballot for someone else must sign the Ballot Collector Registry form on the back of the absentee ballot instructions.

55. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

⁵⁹ <https://sosmt.gov/elections/absentee/>.

⁶⁰ Mont. Code Ann. § 13-13-119(1); Mont. Code Ann. § 13-13-119(2).

⁶¹ Mont. Code Ann. § 13-13-119(a)

⁶² Mont. Code Ann. § 13-13-119(a)

⁶³ Mont. Code Ann. §§ 13-13-211(1).

⁶⁴ Mont. Code Ann. §§ 13-13-213(1)(b).

A voter may request a replacement ballot if their ballot is lost, spoiled, destroyed, or not received by the voter.⁶⁵ Alternatively, the voter may go to their appropriate polling place on Election Day and vote in person after being issued a provisional ballot.⁶⁶

56. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?

A voter may request a replacement ballot if their ballot is not received by the voter.⁶⁷ Alternatively, the voter may go to their appropriate polling place on Election Day and vote in person after being issued a provisional ballot.⁶⁸

57. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?

As long as the voter has not already submitted the absentee ballot, the voter will be allowed to cast a provisional ballot.⁶⁹

58. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

A list of election offices where voters may drop off completed absentee ballots can be found [here](#).

POLLING PLACE ISSUES

59. POLLING PLACE NOT OPEN: The polling place is not open. What should I do?

If the polling place is not open at 7:00 AM, try contacting an election official. Contact information for election offices and officials can be found [here](#).

***Note to hotline volunteer:** If a polling place is not open at 7:00 AM, contact your hotline captain. Advise voters to stay at the polling location and that someone is contacting an election official to address the issue.

60. LONG LINES: There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

Try to contact an election official; contact information for election offices and officials can be found [here](#). As long as the voter is in line by 8:00 PM, they must be allowed to vote.

***Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

61. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?

⁶⁵ Mont. Code Ann. § 13-13-204(2)(a).

⁶⁶ Mont. Code Ann. § 13-13-204(2)(b).

⁶⁷ Mont. Code Ann. § 13-13-204(2)(a).

⁶⁸ Mont. Code Ann. § 13-13-204(2)(b).

⁶⁹ Mont. Code Ann. § 13-13-204. Moreover, an absentee voter is no longer required to return any unvoted ballot for primary election. S.B. 101, 66th Leg., Reg. Sess. (2019) (enacted), <https://leg.mt.gov/bills/2019/billpdf/SB0101.pdf>.

Montana law does not have specific rules regarding malfunctioning voting equipment.⁷⁰ Voters should immediately notify the election officers if the voting equipment breaks down while the polls are open. Additionally, a voter should ask if an emergency paper ballot is available.

***Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

***Note to field workers:** If you are a field volunteer at a polling place and the equipment is not working properly, notify your hotline captain, who will notify a voting machine expert. Remember, a voter can use an emergency paper ballot, and should request one if it is not offered.

62. **EQUIPMENT ASSISTANCE:** I don't know how to use the voting equipment. Can I get help?

Instructions on how to prepare a ballot or use a voting system must be posted in each voting station provided for the preparation of ballots. The instructions must be in easily read type, 18 point or larger, and explain:

- How to obtain ballots for voting;
- How to prepare ballots, including how to:
 - Cast a valid vote, including a valid vote for a write-in candidate;
 - Correct a mistake;
 - Ensure the proper disposition of the ballot after the elector is finished voting;
- How to obtain a new ballot in place of one spoiled by accident; and
- How to vote provisionally pursuant to 13-13-601 of the Montana Code.⁷¹

Additionally, sample ballots, clearly marked "sample" across the face, must be posted at each voting station and in conspicuous places around the polling place.⁷²

63. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

If the voter cannot enter the polling place because of disability or seniority, election judges should bring a ballot to the voter in their automobile to complete. Also, if the voter is assigned to an inaccessible polling place, they have the right to ask in writing seven days prior to Election Day to be reassigned to the nearest accessible polling place.⁷³ The voter can also ask to vote by absentee ballot at a designated voting station at the county election administrator's office. More information on voters with disabilities can be found at: <https://sosmt.gov/elections/disabilities/>; and <https://sosmt.gov/elections/fag/#voting-systems-equipped-for-people-with-disabilities>.

64. **READING/LANGUAGE ASSISTANCE:** I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

⁷⁰ See Mont. Code Ann. § 13-17-101 et seq.; Mont. Admin. R. § 44.3.1701 et seq. (containing provisions for voting systems but not malfunctioning voting equipment).

⁷¹ Mont. Code Ann. § 13-13-112.

⁷² Mont. Code Ann. § 13-13-112.

⁷³ Mont. Code Ann. § 13-3-213.

Yes. Montana law requires that each polling place have at least one specialized voting machine (called “voter interface device”) that will enable people with disabilities to vote independently and privately.⁷⁴ Any disabled voter who needs assistance voting is entitled to have a person of their choice, other than the voter’s employer, an agent of the employer, or an officer or agent of the voter’s union, mark the voter’s choices or assist the voter in marking their choices on the ballot.⁷⁵ More information on voters with disabilities can be found at: <https://sosmt.gov/elections/disabilities/>; and <https://sosmt.gov/elections/faq/#voting-systems-equipped-for-people-with-disabilities>.

65. **CAMPAIGNING:** What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?

Montana law prohibits campaigning or electioneering on Election Day within any polling place or within 100 feet of any entrance to the building in which the polling place is located. In this context, campaigning or electioneering means soliciting support or opposition to a candidate or issue to be voted on at the polling place in question. Offering or distributing food, drink, or other material benefit by a candidate, a candidate’s family member, or a worker or volunteer for a candidate’s campaign to encourage recognition, support, or opposition to a candidate or issue is similarly prohibited. A person may not buy, sell, give, wear, or display at or about the polls on Election Day any badge, button, or other insignia designed or which tends to aid or promote the success or defeat of any candidate or ballot issue to be voted upon in the election, though voters are not specifically **prohibited from bringing election** materials into the polling place for their own use.⁷⁶ On Election Day, no person is permitted to obstruct the doors

66. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

A voter’s right to vote may be challenged at any time by any registered voter. The challenging voter must fill out and sign an affidavit stating the grounds of the challenge and providing evidence in support. If the voter’s right to vote is challenged, they may fill out and sign an affidavit refuting the challenge. If the voter was not present when the challenge was made, the voter must be notified of who made the challenge and its grounds, and must be given an explanation as to what information may be provided to respond. The voter must also be provided a copy of the challenger’s affidavit and any supporting evidence.⁷⁷

If a person’s right to vote is challenged prior to the close of voting registration, the election administrator must question both the voter and the individual making the challenge and may question others to determine whether the challenge is sufficient or not. If the challenge is made after registration is closed or on Election Day, the voter may cast a provisional ballot.⁷⁸ See Question 48 below for details regarding provisional ballots.

Additional information on voter challenges may be found here: <https://sosmt.gov/elections/official-forms/#challenge-forms>

⁷⁴ S.B. 291, 66th Leg., Reg. Sess. § 1(2) (2019) (enacted), *available at*: <https://legiscan.com/MT/text/SB291/id/1933570/Montana-2019-SB291-Amended.pdf>; *Electronic Ballot Request System*, Montana Secretary of State, <https://sosmt.gov/elections/disabilities/>.

⁷⁵ Mont. Code Ann. § 13-13-119; 52 U.S.C. § 10508.

⁷⁶ Mont. Code Ann. § 13-35-211.

⁷⁷ Mont. Code Ann. § 13-13-301.

⁷⁸ Mont. Code Ann. § 13-13-301(3).

67. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

***Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

68. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

Yes, it could have been removed. However, a voter's name may only be removed from the list of registered voters if:

- the voter submits a written request for cancellation;
- the voter dies;
- the voter is of unsound mind as established by a court;
- the voter is incarcerated for a felony;
- a certified court order directing the cancellation of the voter's registration is filed with the election administrator;
- notice is received from the Secretary of State or from another county or state that the voter registered in another county or state;
- the voter fails to respond to certain confirmation mailings, is placed on the inactive list, and then fails to vote in two consecutive federal general elections; or
- the voter is not:
 - 18 years of age or older;
 - a resident of the state of Montana and of the county in which the voter offered to vote for at least 30 days, except if the voter changed residence to a different county 30 days or less before an election; or
 - a citizen of the United States.⁷⁹

If the voter's name is not on the voter registration roll, and regular and late registration deadlines have passed, and the voter has ensured that they are at the correct polling location, the voter can consider casting a provisional ballot, as described above (see question 12).

69. **PROVISIONAL BALLOT:** I have been offered a provisional ballot. What should I do?

Ask why the voter was offered a provisional ballot. A voter should only be offered a provisional ballot when:

- The voter presented no ID or the ID presented was not accepted as a current ID (see Question 3); or
- The voter's name does not appear in the precinct register book and eligibility to vote cannot otherwise be established (see Question 12); or
- Insufficient information is included in a mailed ballot.

Casting a provisional ballot is a last resort, and before doing so the voter should attempt to determine whether they are in fact voting in the correct precinct, why their name is missing from the precinct register book, or why the ID presented was not accepted.⁸⁰ A provisional ballot is counted only when cast at the precinct in which the voter is registered.⁸¹

⁷⁹ Mont. Code Ann. § 13-2-402.

⁸⁰ Mont. Code Ann. § 13-13-114.

⁸¹ Mont. Code Ann. § 13-15-107(3); 13-13-114.

In order for a provisional ballot to be counted the voter has until 5:00 PM the day after Election Day to provide valid ID or eligibility information either in person, by facsimile, by electronic means, or by mail postmarked no later than the day after Election Day.⁸² A provisional ballot cast due to insufficient identification must be counted if the signature on the voter's affirmation and the signature on their registration form match. A provisional ballot must also be counted if the election administrator verifies the voter's identity or eligibility. However, if the signatures do not match or the voter fails to provide valid identification by the deadline then the ballot will be rejected. The election administrator must provide an individual who casts a provisional ballot, but whose ballot was or was not counted, with the reasons why the ballot was or was not counted. Provisional ballots cast by voters whose eligibility is not determined by the end of Election Day may not be counted until 3:00 PM on the sixth day after Election Day.⁸³

ACCESSIBILITY/ASSISTANCE

70. LANGUAGE ACCESS: I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

Section 203 of the Voting Rights Act requires areas with large numbers of voters with limited English proficiency to provide in-language voting materials.⁸⁴ Voters who cannot read or speak in English, may bring their own interpreter to the polls or may bring any individual (not an employer or employee's agent or union agent), with an election judge's permission, to assist with voting in the booth.⁸⁵

71. CURBSIDE VOTING: Is curbside voting available? How do I request it?

Voters who are unable to enter the polling location may ask that a ballot be brought to them by an election judge.⁸⁶

72. VOTER GUIDE: Can I bring a voting guide or reference notes with me into the voting booth?

Yes, a voter can bring notes or a voting guide into a voting booth.

QUESTIONS

73. QUESTIONS: Who should I contact if I have questions about any of the above?

Contact information for the voter's election offices and officials [here](#).

⁸² Mont. Code Ann. § 13-15-107.

⁸³ Mont. Code Ann. § 13-15-107.

⁸⁴ <https://www.justice.gov/crt/language-minority-citizens>

⁸⁵ <https://sosmt.gov/elections/disabilities/>

⁸⁶ <https://sosmt.gov/elections/disabilities/>