SENATE BILL NO. 17

INTRODUCED BY T. MANZELLA

BY REQUEST OF THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: “AN ACT CHANGING THE FREQUENCY OF DEATH NOTIFICATIONS TO THE SECRETARY OF STATE; AMENDING SECTIONS 13-2-107, 13-2-402, AND 50-15-409, MCA; AND PROVIDING AN EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 13-2-107, MCA, is amended to read:

"**13-2-107. Statewide voter registration system -- information-sharing agreements.** (1) The secretary of state shall establish, in a uniform and nondiscriminatory manner, a single official, centralized, and interactive computerized statewide voter registration system that meets the requirements of 42 U.S.C. 15483.

(2) (a) The statewide voter registration system must be used as the official list of registered electors for the conduct of all elections subject to this title.

(b) The system must contain the name and registration information of each registered elector.

(c) Each election administrator must be provided with immediate electronic access to the system.

(d) The secretary of state shall provide the technical support required to assist election administrators to enter, maintain, and access information in the statewide voter registration system.

(3) As provided in 42 U.S.C. 15483:

(a) the secretary of state and the attorney general shall enter into an agreement to match information in the statewide voter registration list with information in the motor vehicle licensing database to the extent required to verify voter registration information; and

(b) the attorney general shall enter into an agreement with the United States commissioner of social security for the purpose of verifying voter registration information.

(4) The secretary of state shall update the statewide voter registration system with the transmitted death notifications to allow county election administrators to review the received death notifications and update

voter registration records as appropriate."

Section 2. Section 13-2-402, MCA, is amended to read:

"**13-2-402. Reasons for cancellation.** The election administrator shall cancel the registration of an elector if:

(1) the elector submits a signed written request for cancellation;

(2) a certificate of the death of the elector is filed or if the elector is reported to the election administrator as deceased by the department of public health and human services in the department's reports submitted ~~to the county~~ under 50-15-409 or through an obituary;

(3) the elector is of unsound mind as established by a court;

(4) the incarceration of the elector in a penal institution for a felony conviction is legally established;

(5) a certified copy of a court order directing the cancellation is filed with the election administrator;

(6) a notice is received from the secretary of state or from another county or state that the elector has registered in another county or state;

(7) the elector:

(a) fails to respond to certain confirmation mailings;

(b) is placed on the inactive list; and

(c) then fails to vote in two consecutive federal general elections; or

(8) the elector fails to meet any voter qualification that is listed in 13-1-111."

Section 3. Section 50-15-409, MCA, is amended to read:

"**50-15-409. List of deaths to be made by department -- ~~copy to county clerk~~ transmission to secretary of state -- definition.** (1) The department shall prepare ~~on or before the fifth of January, April, July, and October of each year~~ on at least a weekly basis a list of all deaths of Montana residents, together with the date of the death and required identifiers, ~~reported to it during the period~~ and shall ~~send a copy of the list of deaths to the county clerk of each county in the state~~ transmit the information to the secretary of state on at least a weekly basis.

(2) The secretary of state shall update the statewide voter registration system based on the information transmitted and shall notify the appropriate county clerk.

(3) As used in this section, unless the context clearly indicates otherwise, "Montana resident" means an individual whose reported state of residence on the death certificate is Montana."

NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2027.

- END -