

1 HOUSE BILL NO. 599  
2 INTRODUCED BY L. HELLEGAARD, S. GUNDERSON, M. MALONE, S. KERNS, J. SCHILLINGER, S. GIST,  
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6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTION LAWS; REVISING THE MAINTENANCE OF  
7 VOTER ROLLS BY REQUIRING INACTIVE VOTERS TO BE REMOVED FROM COUNTY AND STATE  
8 VOTER ROLLS; AMENDING SECTIONS 13-2-220, 13-2-222, AND 13-2-402, MCA; AND PROVIDING AN  
9 IMMEDIATE EFFECTIVE DATE."

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

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13 **Section 1.** Section 13-2-220, MCA, is amended to read:

14 **"13-2-220. Maintenance of active and inactive voter registration lists for elections -- rules by**  
15 **secretary of state.** (1) The rules adopted by the secretary of state under 13-2-108 must include the following  
16 procedures, at least one of which an election administrator shall follow annually:

17 (a) compare the entire list of registered electors against the national change of address files and  
18 provide appropriate confirmation notice to those individuals whose addresses have apparently changed;

19 (b) mail a nonforwardable, first-class, "return if undeliverable--address correction requested" notice  
20 to all registered electors of each jurisdiction to confirm their addresses and provide the appropriate confirmation  
21 notice to those individuals who return the notices;

22 (c) mail a targeted mailing to electors who failed to vote in the preceding federal general election,  
23 applicants who failed to provide required information on registration forms, and provisionally registered electors  
24 by:

25 (i) sending the list of nonvoters a nonforwardable notice, followed by the appropriate forwardable  
26 confirmation notice to those electors who appear to have moved from their addresses of record;

27 (ii) comparing the list of nonvoters against the national change of address files, followed by the  
28 appropriate confirmation notices to those electors who appear to have moved from their addresses of record;

1 (iii) sending forwardable confirmation notices; or

2 (iv) making a door-to-door canvass.

3 (2) An individual who submits an application for an absentee ballot for a federal general election or  
4 who completes and returns the address confirmation notice specified in 13-13-212(4) during the calendar year  
5 in which a federal general election is held is not subject to the procedure in subsection (1)(c) unless the  
6 individual's ballot for a federal general election is returned as undeliverable and the election administrator is not  
7 able to contact the elector through the most expedient means available to resolve the issue.

8 (3) Any notices for the first general election not voted that are returned as undeliverable to the  
9 election administrator or any notices to which the elector fails to respond after the election administrator uses  
10 the procedures provided in subsection (1) must be followed within 30 days by an appropriate confirmation  
11 notice that is a forwardable, first-class, postage-paid, self-addressed, return notice. If the elector fails to  
12 respond within 30 days of the final confirmation notice, after the 30th day, the election administrator shall move  
13 the elector to the inactive list.

14 (4) Any notices for the second general election not voted that are returned as undeliverable to the  
15 election administrator or any notices to which the elector fails to respond after the election administrator uses  
16 the procedures provided in subsection (1) must be followed within 30 days by an appropriate confirmation  
17 notice that is a forwardable, first-class, postage-paid, self-addressed, return notice. If the elector fails to  
18 respond within 30 days of the final confirmation notice, after the 30th day, the election administrator shall ~~delete~~  
19 move the elector from the registration list to the canceled list.

20 (4)(5) A procedure used by an election administrator pursuant to this section must be completed at  
21 least 90 days before a primary or general election for federal office.

22 (5)(6) An elector's registration may be reactivated pursuant to 13-2-222 or ~~may~~ must be ~~canceled~~  
23 canceled pursuant to 13-2-402."

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25 **Section 2.** Section 13-2-222, MCA, is amended to read:

26 **"13-2-222. Reactivation of elector.** (1) The name of an elector must be moved by an election  
27 administrator from the inactive list to the active list of a county if an elector meets the requirements for  
28 registration provided in this chapter and: