

# ELECTION RULES AND REGULATIONS

## CLOSE OF REGULAR REGISTRATION:

Regular voter registration closes 30 days before an election 13-2-301 Montana Code Annotated. The purpose of registration: to ensure that the individual's name is on the Official Register for all eligible elections and the individual is allowed to vote a regular ballot, and that ballot will be counted on election night. If the voter has moved or changed names, those changes need to be reflected on the voter registration. Please complete a new voter registration card prior to the regular close of registration. Contact the Clerk and Recorder/Election Administrator's office 406-778-7106 or go to the county website at [falloncounty.net](http://falloncounty.net) for a new voter registration card.

## LATE REGISTRATION:

Late registration does not apply to School elections. If an individual is not registered by the close of regular registration that individual may still register to vote up to noon the day before an election and also all day on Election Day. That individual must appear at the Clerk and Recorder/Election Administrator's office to register and they may also cast a provisional ballot, depending on the circumstances. We would like to stress to ensure the ballot is counted; register by the close of regular registration. Contact the Clerk and Recorder/Election Administrator's office 406-778-7106.

## PROVISIONAL BALLOT:

The definition of Provisional Ballot: a ballot cast by an individual whose identity and/or eligibility to vote has not been verified as provided by law. A provisional ballot is not counted until it has been verified and resolved.

Resolving a Provisional Ballot: The Clerk and Recorder/Election Administrator's office must verify identity or eligibility to vote; the individual has until 5pm the day after an election to provide valid identification. If identity or eligibility is verified the provisional ballot will be counted. However if the Clerk and Recorder/Election Administrator's office cannot verify the identity or eligibility, the provisional ballot will be rejected and will not be counted. If the ballot is not to be counted the individual will be notified the ballot was not counted and the reason(s) why not counted.

Since the provisional ballot may not be verified until the day after an election, that ballot will not be counted until the Monday following an election. All regular ballots will be counted on election night. A provisional ballot may compromise the privacy of the individual's vote. For example one provisional ballot is voted in a small precinct; all the results for that precinct are tabulated election night and when the provisional ballot is counted on the following Monday the totals will change by one. Therefore it could be determined how that individual who voted a provisional ballot, voted.

**To ensure the privacy of your ballot, avoid voting provisionally; register early and bring identification to the polling place on Election Day.**

Contact the Clerk and Recorder/Election Administrator's office 406-778-7106.

## VOTER IDENTIFICATION AT THE POLLS:

Before receiving a ballot at the polls all electors are required to state their name and present 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, government check or other government document that shows the elector's name and current address.

If the elector does not have one of the items listed above, the elector may complete a polling place identification form and provide their driver's license number, the election judge will contact the Clerk and Recorder/Election Administrator's office to verify the driver's license number, if the number can be verified the elector will be allowed to vote a regular ballot; if the driver's license number cannot be verified the elector will be required to vote a provisional ballot. **To ensure your vote is counted bring sufficient identification to the polls and vote a regular ballot.**

Contact the Clerk and Recorder/Election Administrator's office 406-778-7106.

#### **ABSENTEE BALLOT:**

An absentee ballot may be requested by any registered elector for any reason. An application may be made during a period beginning 75 days before the day of election and ending at noon on the day before an election. Contact the Clerk and Recorder/Election Administrator's office for an application for absentee ballot or one may be printed from the County's website at [falloncounty.net](http://falloncounty.net)

Annual absentee: an elector may apply at anytime to be placed on the annual absentee list. The elector will indicate if he or she wants a ballot for every election or only federal elections. Address confirmation notices will be sent to each elector on the annual absentee list in January of each year. If the address confirmation notice is not returned, the elector will be removed from the annual absentee list. If the confirmation notice is returned, that elector will automatically receive an absentee ballot in the mail as soon as the ballots are ready.

Contact the Clerk and Recorder/Election Administrator's office 406-778-7106.

#### **AutoMARK – BALLOT MARKING SYSTEM:**

HAVA – Help America Vote Act required each polling place to allow voters with disabilities to mark a ballot privately and independently if they so choose. The AutoMARK is the ballot-marking system that the Secretary of State's office has chosen to assist Montana's voters with disabilities to mark a ballot independently.

The AutoMARK can be used with a computer voice that will read the ballot, and a key pad with raised, shaped buttons, also these buttons are marked with Braille, and in addition the screen can be shut off if the voter would prefer to ensure the privacy of their ballot. The AutoMARK can also be used as a touch screen, with or without the computer voice. The AutoMARK is not a voting device; it is a ballot marking system only. There are no ballot totals accumulated or stored in the AutoMARK.

You do not have to be disabled to use the AutoMARK; any voter may use the AutoMARK. For more information or a demonstration, come to the Clerk and Recorder/Election Administrator's office located at 10 W Fallon Avenue Baker Montana or call 406-778-7106.

#### **INACTIVE ELECTOR:**

An inactive elector is an individual that did not vote in the last Federal General Election. Each odd year the Clerk and Recorder/Election Administrator's office sends out a confirmation notification to each elector that did not vote in the prior election, if the individual returns the confirmation notification that individual is considered to be an active elector, no further action is required. If the confirmation notification is not returned that individual will become an inactive elector.

An inactive elector may re-activate their voting status to an active elector at any time by completing a new voter registration card or by appearing at an election and providing sufficient identification and voting. Contact the Clerk and Recorder/Election Administrator's office with questions at 406-778-7106.

Updated 3/7/2012 ddw