

SENATE BILL NO. 8

INTRODUCED BY W. MCKAMEY

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

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ONLINE VOTER REGISTRATION; PROVIDING REQUIREMENTS FOR APPLICANTS; PROVIDING A PROCESS FOR ADDING APPLICANTS TO THE STATEWIDE VOTER REGISTRATION SYSTEM; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 13-2-110, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

NEW SECTION. Section 1. Online voter registration -- rulemaking. (1) The secretary of state shall ~~create~~ establish and maintain an online system for voter registration that is publicly available on the secretary of state's official website and includes an application form for voter registration that meets the requirements of 13-1-210. The secretary of state shall identify and select a third-party vendor to develop and supply the online system for voter registration.

(2) An applicant for voter registration shall:

(a) attest to the truth of the information provided on the application by affirmatively accepting the information as true;

(b) affirmatively consent to the use of the signature on the applicant's Montana driver's license or state identification card for voter registration purposes;

(c) provide the information required under 13-2-110; and

(d) provide the number and date of issuance of the applicant's Montana driver's license or state identification card.

(3) An applicant using the online system for voter registration pursuant to this section is not required to complete a paper registration form.

(4) (a) When an applicant for voter registration submits an application under this section, the secretary of state shall compare the information provided by the applicant against motor vehicle records as

1 defined in 61-11-503.

2 (b) If any information provided by the applicant does not match motor vehicle records, the
3 secretary of state shall:

4 (i) reject the application; and

5 (ii) provide written notification of the reason for the rejection to the applicant.

6 (5) (a) After the secretary of state has verified an application, the secretary of state shall add the
7 information to the statewide voter registration system provided for in 13-2-107 and send the information to the
8 county election administrator for the county in which the applicant resides.

9 (b) Before adding an applicant to the county's voter list, the county election administrator may
10 challenge the applicant's signature and request additional versions of the signature.

11 (c) After an applicant's signature has been verified and the applicant has been determined to be a
12 legally registered elector, the county election administrator shall mail to the elector a notice confirming
13 registration and giving the location of the elector's polling place, in accordance with 13-2-207.

14 (6) The secretary of state shall ensure that the online system for voter registration established in
15 subsection (1) is designed so that it will not accept applications beginning at 11:59 p.m. on the 30th day before
16 an election in accordance with 13-2-301. The website must resume accepting applications on the day following
17 an election.

18 (7) The secretary of state shall adopt rules to implement this section.

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20 **Section 2.** Section 13-2-110, MCA, is amended to read:

21 **"13-2-110. Application for voter registration -- sufficiency and verification of information --**

22 **identifiers assigned for voting purposes.** (1) An individual may apply for voter registration in person or by
23 mail, postage paid, by completing and signing the standard application form for voter registration provided for in
24 13-1-210 and providing the application to the election administrator in the county in which the elector resides.

25 (2) Each application for voter registration must be accepted and processed as provided in rules
26 adopted under 13-2-109.

27 (3) Except as provided in subsection (4), an applicant for voter registration shall provide the
28 applicant's:

(a) Montana driver's license number;

(b) Montana state identification card number issued pursuant to 61-12-501; or

(c) the last four digits of the applicant's social security number.

(4) (a) If an applicant is unable to provide information in accordance with subsection (3), the applicant shall provide as an alternative form of identification:

(i) a military identification card, a tribal photo identification card, a United States passport, or a Montana concealed carry permit; or

(ii) (A) any other form of photo identification, including but not limited to a school district or postsecondary education photo identification with the individual's name; and

(B) a current utility bill, bank statement, paycheck, government check, or other government document that shows the individual's name and current address.

(b) The alternative form of identification must be:

(i) an original version presented to the election administrator if the applicant is applying in person; or

(ii) a readable copy of any of the required documents, which must be enclosed with the application, if the applicant is applying by mail.

(5) (a) If information provided on an application for voter registration is sufficient to be accepted and processed and is verified pursuant to rules adopted under 13-2-109, the election administrator shall register the elector as a legally registered elector.

(b) If information provided on an application for voter registration was sufficient to be accepted but the applicant failed to provide the information required in subsection (3) or (4) or if the information provided was incorrect or insufficient to verify the individual's identity or eligibility to vote, the election administrator shall register the applicant as a provisionally registered elector.

(6) Each applicant for voter registration must be notified of the elector's registration status pursuant to rules adopted under 13-2-109.

(7) The secretary of state shall assign to each elector whose application was accepted a unique identification number for voting purposes and shall establish a statewide uniform method to allow the secretary of state and local election officials to distinguish legally registered electors from provisionally registered

1 electors.

2 (8) The provisions of this section may not be interpreted to conflict with voter registration
3 accomplished under 13-2-221, 13-21-221, [section 1], and 61-5-107 and as provided for in federal law."

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5 NEW SECTION. **Section 3. Notification to tribal governments.** The secretary of state shall send a
6 copy of [this act] to each federally recognized tribal government in Montana.

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8 NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an
9 integral part of Title 13, chapter 2, part 2, and the provisions of Title 13, chapter 2, part 2, apply to [section 1].

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11 NEW SECTION. **Section 5. Effective date.** [This act] is effective January 1, 2026.

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