



Montana Legislative Services Division

Legal Services Office

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**TO:** State Administration and Veterans' Affairs Interim Committee

**FROM:** Andria Hardin, Legislative Attorney

**DATE:** November 7, 2025

**RE:** Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 2025-272.1

**AGENCY/BOARD:** Department of Administration - State Lottery and Sports Wagering Commission

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Addressing bulk ticket purchases.

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The proposal seeks to adopt a new rule and amend ARM 2.63.611 and 2.63.1201 to address the concern of bulk buying lottery tickets. The new rule defines "bulk ticket transactions." The amendments will allow the suspension and revocation of a license and endorsement of any person who has facilitated a bulk ticket transaction and the denial of a claim for a winning ticket that is part of a bulk ticket transaction.

**NOTES:** No public hearing contemplated. The public comment period ends on November 21, 2025 at 5:00 p.m.

**STAFF COMMENT:** None.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/7bb52041-cc55-4580-9e83-aa6a6d7bff11>

**MAR NOTICE NUMBER:** 2025-418.1

**AGENCY/BOARD:** Public Employees' Retirement Board

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** General revisions of rules to remove outdated language and for clarity and consistency.

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The proposal seeks to amend ARM 2.43.2114, 2.43.2309, 2.43.2606, and 2.43.2901 and repeal ARM 2.43.2308 and 2.43.3533.

The amendment to ARM 2.43.2114 specifies the interest due when an employer retroactively adjusts reported member compensation. The amendment to ARM 2.43.2309 provides clarity and corrects an error in the calculation timing for purchasing service credit by an inactive member so that it corresponds with applicable statutes. ARM 2.43.2606 is being amended to change the date for timely application for receipt of retirement benefit payments in that month from the 10<sup>th</sup> day to the 14<sup>th</sup> day of the month. The amendment to ARM 2.43.2901 removes the three-month deadline for terminated employees to withdraw their contributions and provides that once distributed, withdrawals cannot be reversed or returned to MPERA. ARM 2.43.2308 and 2.43.3533 are being repealed as they are outdated and no longer necessary.

**NOTES:** No public hearing contemplated. The public comment period ends on November 21, 2025 at 5:00 p.m.

**STAFF COMMENT:** None.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/271984a5-2d1d-4828-be99-3f56fc82e65d>

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**MAR NOTICE NUMBER:** 2025-251.2

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Ballot Layout Guide

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Supplemental Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The supplemental notice is in reference to MAR Notice No. 2025-251.1 (first reviewed in a Report emailed to SAVA on October 17, 2025 and copied below) wherein ARM 44.3.2408 was being amended to incorporate by reference the Ballot Layout

Guide dated September 16, 2025. The supplemental notice now incorporates by reference the Ballot Layout Guide dated October 17, 2025, the same date that the public hearing on the original proposal was held. The October 17, 2025 guide corrects a clerical error by including one sentence that was previously omitted. The draft October 17, 2025 guide is currently published on the Secretary of State's website at [https://sosmt.gov/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd\\_category\\_id=39&wpfd\\_file\\_id=72617&token=&preview=1](https://sosmt.gov/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd_category_id=39&wpfd_file_id=72617&token=&preview=1).

**NOTES:** A public hearing was held on October 17, 2025. The public comment period has been extended until November 21, 2025 at 5:00 p.m. in light of the supplemental notice.

**STAFF COMMENT:** Staff is in communication with the Secretary of State's Office regarding this supplemental notice and has no comment at this time.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/bfe0e9ad-e1a7-4909-bd71-38defec5a07b>

*\*The following rule review was in the Report dated October 16, 2025 and was provided to SAVA via email on October 17, 2025 by Ms. Power.*

**SECRETARY OF STATE**

**MAR NOTICE NUMBER:** 2025-251.1

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Changes to the Ballot Layout Guide.

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The proposal seeks to amend ARM 44.3.2408 to update the adoption and incorporation by reference of the "Ballot Layout Guide" to the September 16, 2025 version. The Ballot Layout Guide has been updated in response to 2023 and 2025 legislation and to provide clarity, uniformity, and efficiency. Based on HB 207 (2025) and HB 536 (2023), the updated Guide will no longer require a printed write-in candidate line for offices with no one filed as a write-in candidate. Based on SB242, "official ballot" can be printed rather than hand stamped, so the updated Guide reflects that change. Additionally, the Guide now provides statewide uniformity on the ballot stub size and other design improvements.

**NOTES:** A public hearing will be held on October 17, 2025 at 11:00 a.m. in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana. The public comment period ends on October 24, 2025 at 5:00 p.m.

**STAFF COMMENT:** The draft Ballot Layout Guide can be found at <https://sosmt.gov/elections/official-forms/#36-39-ballot-layout>.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/b089b6ea-38fb-47fc-abad-dea7b6a94f55>

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**MAR NOTICE NUMBER:** 2025-252.1

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Statewide voter database lists and reports.

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The proposal seeks to amend ARM 44.3.1101 to provide what extracts and reports from the statewide voter database are available for purchase and what each extract and report contains. The fees for these items remains unchanged.

**NOTES:** A public hearing will be held on October 17, 2025 at 11:30 a.m. in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana. The public comment period ends on October 24, 2025 at 5:00 p.m.

**STAFF COMMENT:** None.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/310d1a66-7b64-4b6a-b566-5b56ea955c19>

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**MAR NOTICE NUMBER:** 2025-318.1

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Changes to voter list maintenance related to incomplete and unverified voter registration applications.

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The proposal seeks to amend ARM 44.3.2005 to implement HB 423 (2025). The amendment provides that incomplete applications to register to vote will be entered into the voter registration system as "pending", while applications with unverifiable identification will be entered into the system as "provisional." The amendment further provides a process for attempting to obtain missing information and then the cancellation of the incomplete registration after 30 days. The term "election official" is being amended to "election administrators, election deputies, and election workers" since the former term by definition included election judges, which do not use the voter registration system.

**NOTES:** A public hearing will be held on October 17, 2025 at 10:30 a.m. in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana. The public comment period ends on October 24, 2025 at 5:00 p.m.

**STAFF COMMENT:** None.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/3b2d1b7a-0adc-4f56-bc4e-02d9b6b7590a>

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**MAR NOTICE NUMBER:** 2025-360.1

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Deadline for entering voter history in the statewide voter registration system.

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Proposed Rulemaking

**SUMMARY OF RULE(S):** The proposal seeks to amend ARM 44.3.1102 to require that county election administrators complete entering voting history data for all elections managed in the statewide voter registration system no later than the time of the canvass for that election. Including a deadline for counties to enter the voter history to the statewide voter registration system ensures that counties can review and complete the various reports and reconciliation required under SB 57, SB 58, and SB 440 passed during the 2025 legislative session.

**NOTES:** A public hearing will be held on October 17, 2025 at 10:00 a.m. in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana. The public comment period ends on October 24, 2025 at 5:00 p.m.

**STAFF COMMENT:** None.

**FULL TEXT OF NOTICE:** <https://rules.mt.gov/browse/collections/5e1173a6-33c7-4df8-b426-5e0077cfc430/policies/27283c95-6348-46df-8f84-03257b2a45cb>

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