

Public Comment submitted by Mary Beveridge at the July 30, 2025 SAVA Meeting

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Montana SS Verification Results	TOTAL Transactions	TOTAL MATCHES	SINGLE MATCH ALIVE	TOTAL NON MATCHES	SINGLE MATCH DECEASED	MULTIPLE MATCH ALIVE	MULTIPLE MATCH DECEASED	MULTIPLE MATCH MIXED	Non Match %	% of Deceased
MT 2020	54789	39283	39235	15506	47	1	0	0	28.30%	0.09%
MT 2021	36149	27407	27358	8742	44	5	0	0	24.18%	0.12%
MT 2022	55006	42792	42672	12214	119	1	0	0	22.20%	0.22%
MT 2023	24610	18447	17337	6163	1095	12	0	3	25.04%	4.45%
MT thru 12/28/2024	60286	42863	42352	17423	495	6	2	8	28.90%	0.82%

## **Electoral Vote Count Reform Act**

### **SAVA Interim Committee Hearing**

**13-25-307. Elector voting.** (1) The electors shall meet in Helena at 2 p.m. on the first ~~Monday~~ Tuesday after the second Wednesday in December following their election. **The place may need to be more specific than “Helena”, requires “meeting place”.**

**13-25-103. Returns -- lists of electors elected.** (1) The votes for candidates for president and vice president shall be given, received, returned, and canvassed as the votes are given, returned, and canvassed for candidates for congress.

(2) The secretary of state shall prepare three lists of names of electors elected and affix the seal of the state containing a security feature to the lists.

(3) The lists shall be signed by the governor and secretary of state and delivered by the latter to the college of electors at the hour of their meeting. **Is the in compliance? MUST BE A SINGLE STATE OFFICIAL** Electoral Reform Act states the Governor signs unless otherwise designated. Current MT Law requires two, in my opinion this is a good practice. In order to comply with federal law, perhaps having either the Governor or SOS be designated for the federal list certification, but require witnesses for a separate state certification of the document; Governor, Sec of State, one each of the majority and minority representative and post both documents on SOS website for state transparency. Legislators are entrusted with ensuring the purity of elections and should be included.

### **13-25-101. Nomination of electors – ballot NO CHANGE**

Request an updated SOS Election Calendar documenting State compliance adding all the new dates for audits, canvass, recounts, litigation and accepting ballots after election day.

Define the acceptance of absentee, UOCVA, provisional in terms of calendar days or business day, don't leave this open to interpretation.

Has the review of Election Emergency Powers been completed? Has this been made public?

## Current Statute

13-2-107 Information Sharing Agreements (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;
- (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.

**Require and allow flexibility for MOU's between the federal or state agency and the SOS for available; now or in the future databases.**

Social Security Number Verification Service (non-citizens may have SS#s) **MOU In place**

Social Security Death Master File (recently updated)

Federal Post Card Application (UOCAVA) Overseas Voters

SAVE Program Systematic Alien Verification for Entitlements

Montana DMV **MOU in place**

SEVIS reporting systems. Student and Exchange Visitor Information System. F-1 (college, academic, university) and M-1 Visas (non-academic Vocational Schools) Exchange Visitor Programs (SEVP) for J Visa (Visitor).

**UOCAVA** applies to federal elections – *How many Overseas voters are there in Montana? Should the legislature differentiate between overseas voters and military voters for state and political subdivision elections. Military voters have state tax implications; Overseas Voters do not. How are these voters audited and identified?*

**OVERSEAS VOTER:** Your voting residence is your address in the state in which you were last domiciled, immediately prior to leaving the United States. The residence may remain valid even if:

You no longer own property or have other ties to that state

Your intent to return to that state is uncertain.

Your previous address is no longer a recognized residential address.

**MILITARY:** Your voting residence is within your state of legal residence or domicile. It is the address that you consider your permanent home and where you had a physical presence. Your state of legal residence is used for state income tax purposes, determines eligibility to vote for federal and state elections, and qualification for in-state tuition rates.

State of legal residence and voting residence are sometimes mistaken for home of record.

While your voting residence may be the same as your home of record at the beginning of your military career, you need to update your voting residence if you change your legal residence or domicile at any point.

**What is the proof of state residency for voting in State elections for Overseas Voters?**

**What is the residency verification for any Montana voter?**

**13-2-205. Procedure when prospective elector not qualified at time of registration.** (1) Subject to subsection (2), an individual who is not eligible to register because of residence or age requirements but who will be eligible on or before election day may apply for voter registration pursuant to **13-2-110** and be registered subject to verification procedures established pursuant to **13-2-109**.

(2) Until the individual meets residence and age requirements, a ballot may not be issued to the individual and the individual may not cast a ballot.

*What is the follow up procedures to ensure the original information is valid at the time of the election and when is the confirmation registration card sent?*

**13-2-206. Citizenship requirements.** (1) A person may not be permitted to register until the person attains United States citizenship.

SUGGESTION: (a) Registration is not valid until citizenship is verified, using federal or state database.

(2) Illegal aliens are prohibited from voting in the state of Montana. **This should include NON- US CITIZENS**

**13-2-207. Confirmation of registration.** (1) The election administrator **shall give** or mail to each elector a notice, confirming registration and giving the location of the elector's polling place. A notice sent to an elector to whom the **notice is not personally given must be sent by nonforwardable**, first-class mail, which must conform to postal regulations to ensure address corrections are received.

(2) If the notice confirming registration is returned as undeliverable, the election administrator shall investigate the reason for the return of any mailed notices and mail a confirmation notice to the elector. The notice must conform to postal regulations to ensure return, not forwarding, of undelivered notices

*This is an opportunity to verify Mailing Address/Residence why would these be handed to the newly registered elector—this should be part of the verification process.*

**Before election challenges should be easier, in particular persons no longer at that address.**

**13-13-301. Challenges.** (1) An elector's right to vote may be challenged at any time by any registered elector by the challenger filling out **and signing an affidavit** (is this necessary?) stating the grounds of the challenge and providing any evidence supporting the challenge to the election administrator or, on election day, to an election judge.

(g) is a provisionally registered elector whose status has not been changed to a legally registered voter; or *Why can't these unknown status electors be removed?*

**13-13-601. Provisional voting in person.** (3) An elector making a false affirmation under this section is subject to the penalty for false swearing provided in **45-7-202**. *(Not Perjury as noted on the Registration Form should these be consistent?)*

**13-2-222. Reactivation of elector.** *A regular inactive voter (federal/state elections) must appear at a polling place or submit an application to reactive. By mailing a School/Municipal ballot to an inactive voter does it reactivate the voter for federal/state elections. If not, how is this tracked, why are the laws inconsistent.*

- (a) appears at a polling place in order to vote, submits an application to vote by absentee ballot in a polling place election or mail ballot election, **or votes in a mail ballot election conducted under Title 13, chapter 19;**

**13-19-106. General requirements for mail ballot election.** A mail ballot election must be conducted substantially as follows:

- (b) (1) Subject to **13-12-202**, official mail ballots must be prepared and all other initial procedures followed as provided by law, **except** that mail ballots must be paper ballots and are not required to have stubs.
- (c) (2) An official ballot must be mailed to every qualified elector of the political subdivision conducting the election.

**13-1-101 DEFINITION** (31) "Mail ballot election" means any election that is conducted under Title 13, chapter 19, by mailing ballots to all active electors.

*School and Municipal have NO Stubs; are there no ballot reconciliation processes in place to verify ballots ordered, send, returned, voided and left over compared to eligible voter rolls.*

Non Montana Residents DMV disseminates cancelled Driver Licenses (licensed in another state) to the SOS, but does this automatically update the county systems; Will a cancelled driver license or State ID show up as valid for registration inquiry? These are not "deleted" from the DMV system.

Devise legislation and a system to notify the election administrators persons enter a penal institutions for felony convictions; state and federal. There may be an existing website or portal for this information. Election administrators should be required by statute to verify and remove (NOT move to "inactive") these persons from the voter rolls. Upon release the person may re-register, this must also be included in legislation. Requires coordination with the DOJ and DOC and probably the court systems for input on how to implement the information exchange.