



ADMINISTRATIVE RULES OF MONTANA



24.26.1090 BALLOT TALLY AND EXCEPTIONS

- (1) The majority of the valid votes cast shall determine the election. In the case of a tie vote, no certification shall be issued.
- (2) The board agent shall notify the parties of the ballot tally on the day the ballots are counted by e-mail or by other means reasonably calculated to confer the information on the parties. However, in either on-site or mail-ballot elections, the burden is on the parties to confirm the election tally with the board agent assigned to the election.
- (3) The parties to the election may file exceptions with the board relating to the conduct of the election or conduct affecting the results of the election, including challenged ballots, within five days of the tally of the ballots.
- (4) Exceptions shall be in writing and shall contain a brief statement of the facts upon which the exceptions are based. Exceptions shall be served upon all parties to the election.
- (5) The board agent shall review the exceptions and refer the matter to a hearing officer pursuant to ARM 24.26.1008.
- (6) An order of the hearing officer issued under this part shall be appealable to the board pursuant to ARM 24.26.254.

Authorizing statute(s): 39-31-104, 39-32-103, MCA

Implementing statute(s): 39-31-208, 39-32-113, MCA

History: NEW, 2020 MAR p. 2422, Eff. 12/25/20.