



ADMINISTRATIVE RULES OF MONTANA



44.3.2015 LATE REGISTRATION PROCEDURES

- (1) In addition to and consistent with the procedures specified in the Montana Code Annotated, and due to administrative necessity, the following shall apply to late registration:
 - (a) Any prospective elector may register or change the existing elector's voter information after the close of regular registration and be eligible to vote in the election if the election administrator in the county where the elector resides receives and verifies the elector's voter registration information prior to noon the day before the election.
 - (b) After the close of late registration, an elector may:
 - (i) update their residence to a different county within Montana but may only vote in their previous county of residence pursuant to 13-2-514, MCA.
 - (ii) update their residence to a different precinct within the county and may vote a ballot from the former precinct or new precinct. The elector may obtain the former precinct ballot at their former precinct or either ballot at a central location designated by the county election administrator.
 - (iii) change their name and may vote under the elector's former name unless the registration was cancelled.
 - (iv) reactivate their registration pursuant to 13-2-222, MCA, but may only vote on election day at the county election administrator's office or a central location designated by the county election administrator.
- (2) Except as provided in (3)(a), an elector who registers or changes the elector's voter information pursuant to this rule may vote in the election only if the elector obtains the ballot from and returns it to the location designated by the county election administrator. For the purposes of this rule, returning the ballots to the location designated by the county election administrator includes:
 - (a) immediately after registering under the procedures of this rule, receiving and casting an absentee ballot at the location designated by the county election administrator; and
 - (b) at any time after registering under the procedures of this rule, receiving in person from the election administrator and returning an absentee ballot directly to the location designated by the county election administrator, either in person or by mail, subject to applicable deadlines.
- (3) An elector who changes residence to a different county within Montana 30 days or less before an election may:

- (a) vote in person or by absentee ballot in the precinct and county where previously registered; or
 - (b) update the elector's registration information and vote in the elector's new county of residence, subject to the late registration provisions of 13-2-301 or 13-2-304, MCA.
- (4) If a late transfer registration applicant who is registered in another county appears in the county election office in order to transfer the applicant's registration, an election official shall, if the county from which the applicant is transferring registration has already printed precinct registers, but not yet printed supplemental registers:
- (a) subject to 13-2-304(2), MCA, move the voter's registration from the current county into the new county of registration; and
 - (b) issue the applicant a regular ballot.
- (5) If a late transfer registration applicant who is registered in another county appears in the county election office in order to transfer the applicant's registration, an election official shall, if the county from which the applicant is transferring registration has already printed supplemental registers:
- (a) subject to 13-2-304(2), MCA, move the voter's registration from the current county into the new county of registration;
 - (b) issue the applicant a provisional ballot; and
 - (c) after the election, contact the county from which the applicant is transferring the applicant's registration in order to determine whether the applicant voted in the other county, and follow all other applicable requirements specified in laws and rules for provisional electors.

Authorizing statute(s): 13-2-108, MCA

Implementing statute(s): 13-2-304, 13-2-512, 13-2-514, MCA

History: NEW, 2006 MAR p. 2671, Eff. 10/27/06; AMD, 2008 MAR p. 1329, Eff. 6/27/08; AMD, 2010 MAR p. 1319, Eff. 5/28/10; AMD, 2010 MAR p. 1545, Eff. 6/25/10; AMD, 2011 MAR p. 2428, Eff. 11/11/11; AMD, 2012 MAR p. 760, Eff. 4/13/12; AMD, 2013 MAR p. 1628, Eff. 9/6/13; AMD, 2022 MAR p. 169, Eff. 1/29/22.