

2026 ELECTION GUIDE



**ELECTION DAY
AT THE POLLS**



Election Day at the Polls

Table of Contents

Disclaimer: This guide does not cover all election duties and responsibilities. Election Administrators and Election Judges are obligated to follow Montana law.

The Election Judge	5
The Election Judge	6
Setup for All Elections.....	8
Chain of Custody and Security Seal Log / Security Procedures	11
Security Procedures	11

Opening the Polls	12
General Procedures at the Polls	12
Polling Place Voting Flow Chart	13
DS200®/DS300® Precinct-Level Ballot Tabulator Voting Procedures	14
Early Pickup of Ballots	15
Assisting Electors with Disabilities	17
Elector Requires Assistance to Vote	18
Voting Assistance from Election Judges	18
Elector Unable to Sign the Precinct Register.....	19
Elector Unable to Enter the Polling Place	19
Accessible Voting Equipment	20
ExpressVote® Voter Assistance Terminal Ballot Cards	20
Using ExpressVote® Voter Assist Terminals	21
Preparing the ExpressVote® for Voting.....	22
Vote Session Initiation and Controls	27
Voting on the ExpressVote®	28
Appendix A: Troubleshooting.....	29
Appendix A: Troubleshooting (continued)	30
Appendix B: Accessible Voting Options.....	31
Absentee Voting and Absentee Ballots.....	33
Absentee Voters at the Polls	34
Delivery and Recording of Absentee Ballots	35
Processing Absentee Ballots Delivered to the Polls from the Election Office.....	35
Special Situations	37
Special Situations	38
Resolving Challenges	38
Process for Handling Challenges at the Polling Place.....	38
Spoiled Ballots	39
Erroneous Omission from Precinct Register	40
Late Registration	40

Polling Place Identification	42
The Elector’s ID Differs from Information in the Register	42
The Elector did not bring Acceptable ID/Information is Insufficient	43
The Elector’s Name is not in the Register	43
Inactive Electors at the Polling Place.....	43
Closing the Polls	45
Close of Polls	46
Procedures for Close of Polls for ExpressVote®	46
Powering Down and Storing the ExpressVote®	47
Procedures for Close of Polls for Models DS200®/DX300® Ballot Tabulators	48
Removing the USB Flash Drive and Ballots from the Tabulator	48
Disassembling the Tabulator	49
List of Envelopes for Ballots and Supplies.....	50
Appendix.....	51
Guidance to Election Officials Regarding Official Poll Watchers and Election	
Observers	52
General Guidelines	52
Electioneering and Signature Gathering.....	56
What is Electioneering?	56
Frequently Asked Questions	56
Polling Place Contingency Plan	58
Additional Resources for Election Judges.....	59

The Election Judge

The Election Judge	6
Setup for All Elections.....	8
Chain of Custody and Security Seal Log / Security Procedures	11
Security Procedures	11
Opening the Polls	12
General Procedures at the Polls	12
Polling Place Voting Flow Chart.....	13

The Election Judge

For voters, the start of the election is usually marked by the opening of the doors of the polling place. For the election officials, it begins months before a ballot is ever cast. As the front line of the election, election officials must be prepared for anything that may happen on election day.

Election Judges are essential to free and fair elections. On election day, the election judge is the connection to the process for the elector and the voice of the election office.



Oath of Office for Election Judges

To serve as an election judge, an individual must possess a current certification of completion of instruction and subscribe the Oath of Office for Election Judges.

OATH TO BE FILED WITH COUNTY ELECTION ADMINISTRATOR

Election judges must take and subscribe this Oath prior to the opening of polls. The completed Oath must be returned to the election administrator at the end of election day. Each judge taking and subscribing this Oath must sign this form and their signature be witnessed by the election administrator or chief election judge.

State of Montana
County of _____

Election serving: _____

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity (so help me God)."

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

The signed affirmations above are hereby witnessed by _____
Printed Name of Election Administrator or Chief Election Judge

dated this _____ day of _____, 20____, at _____, Montana.
City

Signature of Election Administrator or Chief Election Judge

The election judges shall meet at their assigned polling places at the time set by the Election Administrator. The judges shall take and subscribe to the official oath prescribed by the Constitution, which they may administer to each other.

The judges shall inspect all supplies and complete preparations for voting before the scheduled opening of the polls, under the direction of the Chief Election Judge.



Polling Place Supplies Checklist

Checklist for election judges may include items not needed at all polling places and may not include all polling place supplies required.

Paper:

- ☐ Absentee Elector Lists
- ☐ Absentee Secrecy and Signature Envelopes
- ☐ Absentee Voter Applications
- ☐ ExpressVote® Tally Sheets (tracking)
- ☐ Ballots
- ☐ Challenge Forms
- ☐ Checklists for Opening and Closing of Polls
- ☐ Curbside Voting Materials
- ☐ Election Handbooks
- ☐ Election Judge Time Sheets
- ☐ Election Judge Oath Forms
- ☐ Emergency Contact Lists
- ☐ Envelopes for Close of Polls
- ☐ Envelopes for Hand-Count Ballots (if any)
- ☐ Envelopes for Spoiled and Unvoted Ballots
- ☐ List of All Registered Electors
- ☐ List of Challenges
- ☐ List of Election Judges
- ☐ List of Registered Electors at the Polling Place
- ☐ Maps: Precinct Maps, Road Maps, etc.
- ☐ Poll Location List
- ☐ Poll Book and Reconciliation Worksheets
- ☐ Polling Place Emergency Relocation Checklist
- ☐ Polling Place Elector ID Forms (Required)
- ☐ Poll Watcher/Election Observer Early Count Oath Forms
- ☐ Precinct Register
- ☐ Provisional Ballot Envelopes
- ☐ Register Erroneous Omission Forms
- ☐ Sample Ballots
- ☐ Security Seals and Seal Log
- ☐ Signs for Electors with Disabilities
- ☐ Sticky Notes
- ☐ Title 13 Election Law Books
- ☐ Voter Information Pamphlets
- ☐ Voter Registration Applications
- ☐ Voting Instructions and Warning Posters

Items:

- ☐ 100-Foot String to Avoid Electioneering
- ☐ ExpressVote® Secrecy Sleeves
- ☐ Badges and Name Tags
- ☐ Calculators
- ☐ Cell Phones/Phone Cards/Quarters for Phone Booths
- ☐ Clipboards
- ☐ Duct Tape
- ☐ Envelope Dampeners
- ☐ Extension Cord
- ☐ Eye Drops
- ☐ Feather Duster
- ☐ Finger Adhesive
- ☐ First Aid Kit
- ☐ Flashlight and Extra Batteries
- ☐ Food and Coffee for Election Judges
- ☐ Hand Sanitizer and Lotion
- ☐ Highlighters
- ☐ "I Voted" Stickers
- ☐ Ink Pads
- ☐ Isopropyl Rubbing Alcohol Cleaning Pads
- ☐ Keys
- ☐ Lanyards
- ☐ Letter Openers
- ☐ Light Bulbs
- ☐ Magnifying Glass and Magnifying Sheet
- ☐ Numbered Security Ties
- ☐ "Official Ballot" Stamps
- ☐ Paper Clips
- ☐ Pens, including blue, black, and red
- ☐ Permanent Marker
- ☐ Photocopier (optional)
- ☐ Plastic Electrical Cord Adapters
- ☐ Poll Booths
- ☐ Poster Tack
- ☐ Pressurized Can of Air
- ☐ Reading Glasses
- ☐ Rubber Bands
- ☐ Rubber Thumbs
- ☐ Rulers
- ☐ Scissors
- ☐ Scotch Tape
- ☐ Signature Line Rectangle (for Blind/Low-Vision)
- ☐ Spindles
- ☐ Staple Remover
- ☐ Thumb Tacks
- ☐ Toilet Paper and Tissues
- ☐ Tool Kits
- ☐ Voting Systems
- ☐ Other: _____

Setup for All Elections

Prior to the opening of the polls, election judges should:

- ☐ Meet at the polling place at a time set by the Election Administrator
- ☐ ([13-13-101, MCA](#)).
- ☐ Take and subscribe to the judges' official oath in the poll book. The judges may administer the oath to each other ([13-4-105](#) and [13-13-101, MCA](#)).
- ☐ Check the supplies using the checklist provided by the Election Administrator ([13-13-101, MCA](#)).
- ☐ Verify the number of ballots including ExpressVote® Ballot cards delivered on the ballot certification report and ExpressVote® activation card report.
- ☐ Verify all seal numbers on the Chain of Custody and Security Seal Log.
- ☐ Check the ballots to confirm they are the correct ballots for your precinct and that the ballots are correctly numbered.
- ☐ The Chief Election Judge or Ballot Judge will verify the Ballot Certification Report with ballots delivered to the polling place and will verify and update the ballot seal log and the voting system seal log.

Notify the Election Administrator immediately if the number of ballots delivered does not match the number on the Ballot Certification Report!

 See also *Absentee Voters at the Polls*, page 34, for additional information about absentee voting if your county processes absentee ballots delivered to the polls from the election office.

- ☐ Set up the official table or tables with:
 - Precinct register
 - One copy of the registered elector list
 - Supply of registration forms, provisional ballot supplies, envelopes, provisional ballot instructions, polling place elector identification forms, and all other miscellaneous supplies as directed by the Election Administrator
 - Voter information pamphlets (during Federal General elections)
 - Poll book
 - Ballots in numerical order and according to the instructions received from the Election Administrator

- Secrecy sleeves/envelopes
 - Official Ballot stamp and pad (*not required if “Official Ballot” is printed on the ballot per the Ballot Layout Guide*)
 - Ballot box
 - Box for ballot stubs and unvoted ballots
- ☐ The Election Administrator will provide the Chief Election Judge at each precinct a list of declared write-in candidates along with copies of the filing forms listing the candidates’ name variations.
-  **Reminder!** *DO NOT post the write-in list in plain view. The list may be shown to any elector who requests the information, but may not be posted in the polling place or in a voting booth.*
- ☐ Check voting equipment; ensure it is set up, plugged in, properly sealed, and ready for use.
- ☐ Open the ballot box and stub boxes and ascertain they are empty. Replace the security seal. Record the security seal number on the Chain of Custody and Security Seal Log.
- ☐ Prepare supplies (secrecy sleeves, unvoted envelopes, and proper writing tools to be used by the elector to mark their ballot).
- ☐ Set up the polling booth. Ensure voters with disabilities have sufficient space for accessing the booth.
- ☐ Post or display at the polling place:
- A list of the registered electors in the precinct ([13-2-115\(3\), MCA](#))
 - The Montana Voter Information poster in each poll booth and elsewhere in the polling place ([13-13-112, MCA](#))



IMPORTANT VOTER INFORMATION

ELECTION DATE:
POLL HOURS:

VOTING
After you have shown ID and your eligibility to vote has been verified,
• Sign the register and receive an official ballot
• Follow the instructions on the ballot for marking the ballot
• Mark the designated voting area for only one issue or candidate, except where the instructions tell you that you can vote for more than one
You may skip voting on any contests without invalidating your ballot.
If you wish to vote for a write-in candidate, write in the name and mark the designated voting area.

IDENTIFICATION
• An election judge will request your identification and verify that it is an acceptable form of identification
• Typically, an elector identifies themselves with a Montana driver's license or a Montana state ID card
• If you have questions about what qualifies as an acceptable form of identification, please ask to see an election judge who will assist you
• You may also use your phone camera to scan the QR code to view acceptable forms of identification

IF YOU FORGOT YOUR ID
• Return to the polls when you have it, or
• Ask to see an election judge who will assist you. The election judge can also provide assistance for voting a provisional ballot, which will be counted if your identity can be verified by the county election office

PROVISIONAL VOTING
You have the option to vote a provisional ballot if your identity or eligibility to vote is not confirmed.
• An election judge will give you a ballot and a special provisional form for you to fill out
• You will be notified as to whether your provisional ballot was counted

VOTER INFORMATION PAMPHLET FOR BALLOT MEASURES
For each General Election, a pamphlet is provided at the polling place with information on the For and Against of each statewide ballot measure.

GENERAL INFORMATION ON VOTING RIGHTS
Any person has the right to cast a provisional ballot in circumstances where your eligibility or identity cannot be confirmed.
If you believe your rights have been violated, please contact the **Office of the Secretary of State at 1-888-884-8683** or your county election administrator.
If you see a potential election law violation, contact the **Office of the Secretary of State at 1-888-884-8683** to report the specific details observed, visit the online Fair Election Center, or contact your county election administrator.

GET A NEW BALLOT
If you damage or spoil your ballot, make a mistake on it, or mark more than the number of votes allowed for an office or issue,
• Do not try to erase the mistake or scratch it out, and do not throw away your ballot
• Ask an election judge to replace your ballot

PRIMARY BALLOTS
• After marking your ballot, insert the voted and unvoted ballots in each secrecy sleeve provided with the stubs outside the device
• Hand the voted and unvoted ballots separately to the election judge, identifying them as voted and unvoted
• The judge will remove the stubs from all the ballots and deposit the voted ballot in the voted ballot box

ACCESSIBLE VOTING OPTIONS
• Use the ExpressVote® voter assist terminal that is equipped to assist voters with disabilities
• One is available at every polling place
• An election judge will show you how to use the equipment
• Request curbside service
• Request assistance from an election judge or a person of your choice
• Use your designated agent

MONTANA VOTER HOTLINES
STATE: 888.884.8683
LOCAL ELECTION OFFICE:

Visit VoteMT.gov to confirm your voter registration information

- "Warning" notices in conspicuous locations ([13-13-113, MCA](#))

WARNING

The sections of law printed below list specific conduct or actions which may cause an elector to be subject to criminal prosecution. This is not intended to be a complete printing of all laws pertaining to election violations. By law, this warning notice must be posted in conspicuous places in the polling place.

State laws regarding prohibitions on acts of fraud and misrepresentation:

13-35-201. Electors and ballots.

(1) An elector may not show the contents of the elector's ballot to anyone after it is marked. An elector may not place any mark upon the ballot by which it may be identified as the one voted by the elector.

(2) An elector may not receive a ballot from any person other than an election judge and may not take any ballot except one received from an election judge. A person other than an election judge may not deliver a ballot to an elector.

(3) A person may not solicit an elector to show the elector's ballot after it is marked.

(4) An elector who does not vote a ballot delivered to the elector shall, in the hours of the polling place, return the ballot to an election judge.

13-35-202. Conduct of election officials or election workers.

An election official or election worker may not:

(1) deposit in a ballot box a paper ballot that is not marked as official;

(2) examine an elector's ballot before putting the ballot in the ballot box;

(3) look at any mark made by the elector upon the ballot;

(4) make or place any mark or device on any ballot with the intent to ascertain how the elector has voted;

(5) allow any individual other than the elector to be present at the marking of the ballot except as provided in 13-1-116, 13-13-116, 13-13-118, and 13-13-202; or

(6) make a false statement in a certificate regarding affirmations.

13-35-206. Injury to election equipment, materials, and records.

A person is guilty of criminal mischief or tampering with public records and information, as appropriate, and is punishable as provided in 45-6-102 or 45-7-206, as applicable, whenever the person:

(1) prior to or on election day, knowingly removes or destroys any list of candidates posted in accordance with the provisions of the law;

(2) during an election:

(a) removes or defaces instructions for the voters; or

(b) removes or destroys any of the supplies or other conveniences placed in the voting station for the purpose of enabling a voter to prepare the voter's ballot;

(3) removes any ballots from the polling place before the closing of the polls with the purpose of changing the result of the election;

(c) removes, tampers or destroys any poll books, checklists, ballots, ballot boxes, or other equipment for the purpose of disrupting or invalidating an election;

(d) knowingly detains, mutilates, alters, or destroys any election returns;

(e) mutilates, secretes, destroys, or alters election records, except as provided by law;

(f) tampers with, disarranges, defaces, injures, or impairs a voting system with the intent to alter the outcome of an election;

(g) mutilates, injures, or destroys a ballot or appliance used in connection with a voting system; or

(h) fraudulently defaces or destroys a checklist or a certificate of nomination.

13-35-211. Electioneering - soliciting information from electors.

(1) A person may not do any electioneering at any location where an elector may obtain or vote a ballot, or within 100 feet of any entrance to a building in which an elector may obtain or vote a ballot, during the hours the location is open to obtain or vote a ballot, that aids or promotes the success or defeat of any candidate or ballot issue to be voted on at the election.

(2) A candidate, a family member of a candidate, or a worker or volunteer for the candidate's campaign may not distribute alcohol, tobacco, food, drink, or anything of value to a voter in any location where an elector may obtain or vote a ballot, or within 100 feet of an entrance to a building in which an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot.

(3) A person may not buy, sell, give, wear, or display at any location where an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot, any badge, button, or other insignia that is designed or tends to aid or promote the success or defeat of any candidate or ballot issue to be voted on at the election.

(4) A person within a location where an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot, may not solicit from an elector, before or after the elector has marked a ballot and returned it to an election judge, information as to whether the elector intends to vote on the ballot for or against a candidate or ballot issue.

13-35-214. Illegal influence of voters.

A person may not knowingly or purposely, directly or indirectly, individually or through any other person, for any election, in order to induce any elector to vote or refrain from voting or to vote for or against any particular candidate, political party ticket, or ballot issue:

(1) give, lend, agree to give or lend, offer, or promise any money, liquor, or valuable consideration or promise or endeavor to procure any money, liquor, or valuable consideration; or

(2) promise to appoint another person or promise to secure or aid in securing the appointment, nomination, or election of

another person to a public or private position or employment or to a position of honor, trust, or emolument in order to aid or promote the candidate's nomination or election, except that the candidate for governor may publicly announce or define the candidate's choice for lieutenant governor.

13-35-217. Officers not to influence voter.

An officer, while acting in an official capacity, may not, by any means, reward, or promise of reward, induce or attempt to induce any elector to cast a vote contrary to the elector's original intention or choice.

13-35-218. Coercion or undue influence of voters.

(1) A person, directly or indirectly, individually or through any other person, in order to induce or compel a person to vote or refrain from voting for any candidate, the ticket of any political party, or any ballot issue before the people, may not:

(a) use or threaten to use any force, coercion, violence, restraint, or undue influence against any person; or

(b) inflict or threaten to inflict, individually or with any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person.

(2) A person may not, by abduction, duress, or any fraudulent contrivance, impede or prevent the free exercise of the franchise by any voter at any election or compel, induce, or prevail upon any elector to give or to refrain from giving the elector's vote at any election.

(3) A person may not, in any manner, interfere with a voter lawfully exercising the right to vote at an election in order to prevent the election from being fairly held and lawfully conducted.

(4) A person on election day may not obstruct the doors or entrance of any polling place or engage in any solicitation of a voter within the room where votes are being cast or elsewhere in any manner that in any way interferes with the election process or obstructs the success of voters to or from the polling place.

Federal laws regarding prohibitions on acts of fraud and misrepresentation:

Federal authorities may become involved in election fraud or misrepresentation issues when a state prosecutor asks for federal assistance or when allegations arise that a criminal act of fraud has occurred in a federal election. If you have information about vote fraud, contact the nearest office of the FBI or your local U.S. Attorney's office.

Reference: 13-13-113, MCA
Repealed August 2025

 **Call your county election office immediately if you are missing any supplies.**

10

Chain of Custody and Security Seal Log

This form must be used to track the chain of custody and ballots and media, and to track security seals.



Ballots and Election Materials Chain of Custody and Seal Log

The purpose of this form is to show the control, transfer, and disposition of ballots and election materials during an election. Document whenever custody changes or security seals are removed/replaced.

County:	Precinct:	Polling Place:	Ballot Box/Storage Identifier:	Election Date:
---------	-----------	----------------	--------------------------------	----------------

Removed Seal	Reason Seal Removed	Transportation (if applicable)	New Seal
(Place removed sticker seal here) Sticker Seal must contain: Signature and Date of Seal Placement and Seal Removal If removing a non-sticker seal, sign and date here: Election Official Signature Date Removed Seal #	☐ Testing ☐ Received ballots before election day ☐ Preparing materials at election office ☐ Accessing materials at polling place ☐ Court order ☐ Other (detail below) Signature and Date of Witness	☐ To Count Center ☐ To Polling Place ☐ Other (detail below) Signature and Date of Custodian Signature and Date of Witness	Number: Date:
(Place removed sticker seal here) Sticker Seal must contain: Signature and Date of Seal Placement and Seal Removal If removing a non-sticker seal, sign and date here: Election Official Signature Date Removed Seal #	☐ Testing ☐ Received ballots before election day ☐ Preparing materials at election office ☐ Accessing materials at polling place ☐ Court order ☐ Other (detail below) Signature and Date of Witness	☐ To Count Center ☐ To Polling Place ☐ Other (detail below) Signature and Date of Custodian Signature and Date of Witness	Number: Date:
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*A copy of this form should be retained by the Election Official.

2024-2

Security Procedures

- ☐ Ensure all voting system access points are sealed while polls are open.
- ☐ Ensure all ballot box access points are sealed while polls are open.
- ☐ Before removing or breaking a security seal, ensure more than one judge is present (preferably one from each party).
- ☐ Record on the provided log the number of the security seal removed and the replacement seal, as well as the reason for removing the seal.

Opening the Polls

The Chief Election Judge (or Polling Place Manager) will proclaim the opening of the polls aloud at the time set for opening ([13-13-101\(2\), MCA](#) and [13-1-106, MCA](#)).

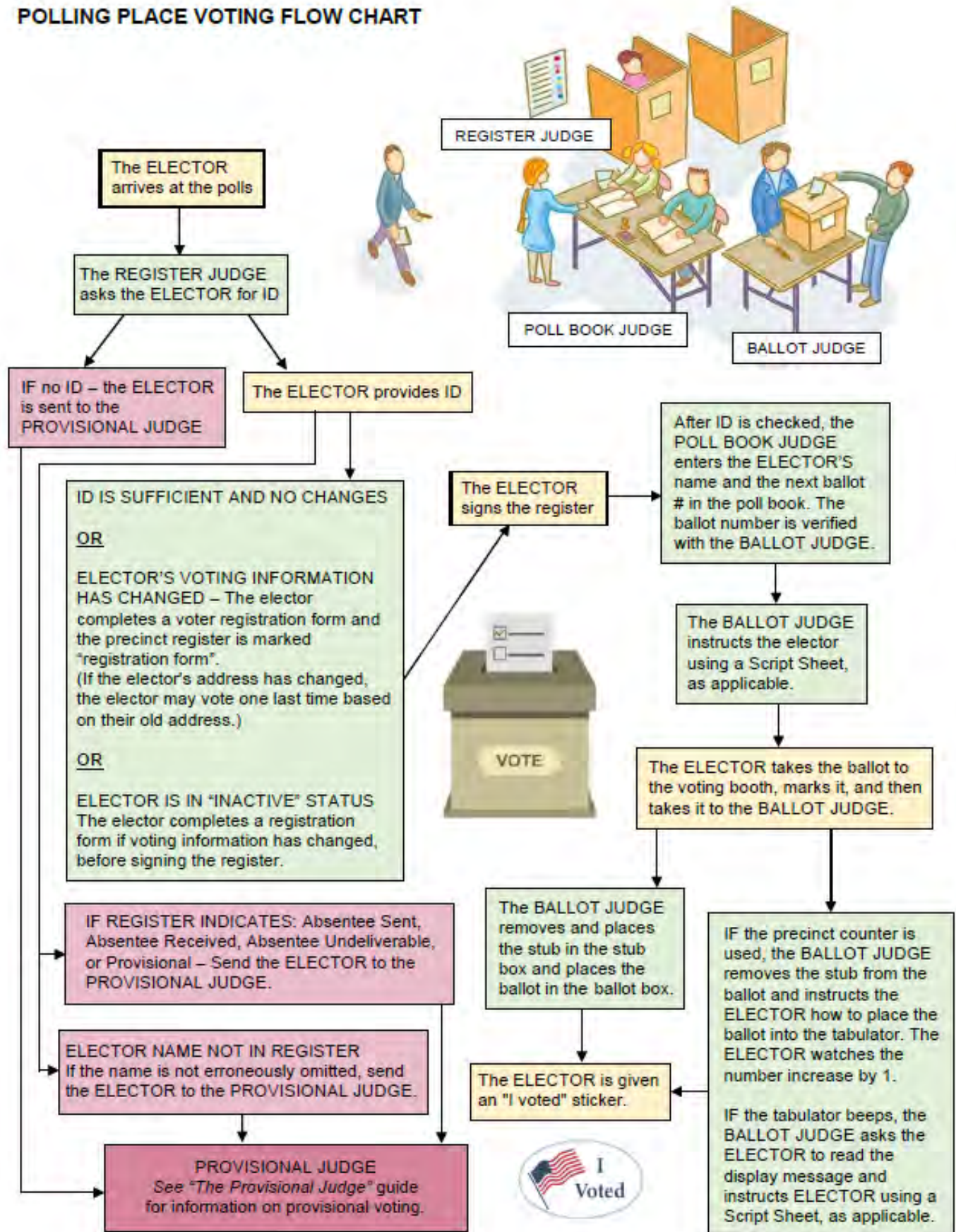
General Procedures at the Polls

Voting stations must be arranged in a manner to prohibit any other individual from seeing how the elector votes or has voted. Ensure voting stations for electors in wheelchairs have sufficient space and are the correct height. No more than one individual may occupy a voting station at one time, except when assistance is furnished to an elector as provided by law. An individual may not occupy a voting station longer than is reasonably necessary to prepare the elector's ballot, after which the election judges may affect the removal of the elector from the station ([13-13-111, MCA](#)).



- Check from time to time to ensure no stickers or campaign materials have been stuck on or in the voting booth or device ([13-35-211, MCA](#)).
- Check to ensure sample ballots are not marked.
- If tabulators or ExpressVote® are used, periodically check to ensure they are in good working order ([13-35-206, MCA](#)).

POLLING PLACE VOTING FLOW CHART



DS200®/DS300® Precinct-Level Ballot Tabulator Procedures

1. The elector shall place the voted ballot (with the stub attached) in the secrecy sleeve/envelope. The Ballot Judge or designated judge shall remove the stub.
 - a) Ballots are tabulated by the elector inserting them into the ballot tabulator entry slot in any direction.
 - b) The tabulator will display a message(s) if the voter needs to take further action before the ballot is tabulated.

The ballot count on the display increases whenever the tabulator successfully scans a ballot.

*Refer to the tabulator manual for the setup, usage, and troubleshooting instructions. Additional information is available in the **Ballot Counting and Tabulating guide**.*

 **Note:** In a *partisan primary election*, each elector will hand the unmarked ballots separately to the election judge, identifying them as unmarked ballots. The election judge shall, in the presence of the elector:

- a) remove the stub from all ballots; **and**
- b) deposit the unmarked ballot(s) and the stub(s) in the appropriate container.

2. The secrecy of the elector's ballot must be protected throughout the voting process. Position yourself so that you do not view the elector's ballot.

An election judge or voting system (when a precinct-level ballot tabulator is being used at the polling place) shall place the ballot in the ballot box immediately without allowing anyone to examine the ballot. Nothing other than a ballot may be put in a ballot box ([13-13-117\(2\)\(b\), MCA](#)).

Early Pickup of Ballots

Note: Make sure all ballots issued and marked in the poll book prior to the early pick-up are deposited in the (early pick-up) ballot box before the box is removed.

1. After verifying the security seal number on the Chain of Custody and Security Seal Log, open the ballot box, remove, and count the ballots to compare the total ballots in the ballot box with the number issued as recorded in the poll book, and record the numbers on the Ballot Reconciliation Report. The form must be given to the Chief Election Judge or their designee for delivery to the election office.
2. Check the ballots to ensure the official ballot stamp appears on them.
3. Judges for counties that hand-count ballots at the polls will count all votes on ballots in the first box. That box and the poll book should then be exchanged for subsequent boxes and poll books, as necessary, reconciling the total ballots with the total issued in the poll book each time.
4. Election judges using a central tabulation center must:
 - Place the ballots and poll book in the "Early Pick-up" container, marking the precinct number and total number of ballots enclosed (after reconciling on the Ballot Reconciliation Report the total number of ballots with total issued in the poll book) on the outside of the container;
 - Officially seal the container as required and record the seal number on the Chain of Custody and Security Seal Log; **and**
 - Relinquish the "Early Pick-up" container to authorized personnel for delivery to the counting center and obtain a receipt if required by the Election Administrator.

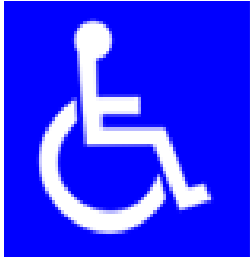


Assisting Electors with Disabilities

Elector Requires Assistance to Vote	18
Voting Assistance from Election Judges	18
Elector Unable to Sign the Precinct Register.....	19
Elector Unable to Enter the Polling Place	19
Accessible Voting Equipment	20
ExpressVote® Voter Assistance Terminal Ballot Cards	20
Using ExpressVote® Voter Assist Terminals	21
Preparing the ExpressVote® for Voting.....	22
Vote Session Initiation and Controls	27
Voting on the ExpressVote®	28
Appendix A: Troubleshooting.....	29
Appendix A: Troubleshooting (continued)	30
Appendix B: Accessible Voting Options.....	31

Elector Requires Assistance to Vote

The polling place is for everyone. The election process in Montana accommodates voters with disabilities in a variety of ways.



When an elector asks for assistance, the election judge should ask what type of assistance is needed. Avoid making assumptions about ability. Listen to understand which part of the voting process an elector may need help with. Be accommodating and talk with the Chief Election Judge about ways that you can assist electors with disabilities with the voting process.

An elector who needs assistance in marking their ballot because of disability or inability to read or write may choose a person to assist, including an election judge, persons under the voting age, persons not registered to vote, or an agent as designated on a form prescribed by the Secretary of State. ([13-1-116, MCA](#))

Exception! *The elector **MAY NOT** be assisted by the elector's employer, an agent of the elector's employer, or an officer or agent of the elector's union.*

Ask whether the person helping is the elector's employer, the employer's agent, or an officer or agent of the elector's union. If the person offering to assist is one of those individuals, the elector must choose someone else to assist.

Voting Assistance from Election Judges

([13-13-119, MCA](#))

If the elector asks for assistance with voting from election judges, it is preferable that two judges from different political parties assist. If election judges who represent different political parties are not available, the Chief Election Judge shall appoint two election judges to assist the elector. If the elector objects to two judges, assistance may be given by one judge.

The election judges and the elector will complete the “*Oath of Elector Needing Assistance within Polling Place*”.

See the *Oath of Elector Unable to Enter Polling Place & Oath of Elector Needing Assistance at Polling Place* form in the supplies provided by the Election Administrator.

The appointed judges must make a notation on the voter's signature line in the register and file the signed form in the designated section of the register binder.

 **Note:** *Indicate next to the elector's name in the precinct register that the ballot was marked with assistance. The person assisting the elector must also sign next to the name of the elector in the precinct register. No one assisting the elector may reveal information about the elector's ballot.*

Elector Unable to Sign the Precinct Register

([13-1-116, MCA](#))

An elector unable to sign their name **CANNOT** be denied the right to vote because of an inability to sign the precinct register.

- Ask the elector to make an identifying mark on the signature line by their name. Unless the elector objects, the best mark would be a thumbprint or fingerprint from the elector. The judges should enter a notation next to the fingerprint that the elector was unable to sign the register. If the elector is unable to provide a fingerprint or other identifying mark and does not have a designated agent, the election judge (or the Election Administrator) may sign for the elector after verifying the elector's ID.

 **Note:** *At a minimum, judges must enter on the signature line by the elector's name the words "Elector unable to sign register" and the time of day this individual voted.*

Elector Unable to Enter the Polling Place

([13-13-118, MCA](#))

If an elector has difficulty entering the polling place, they may cast their ballot by requesting a ballot be delivered to them outside the building where the polling place is located.

After confirming the elector's eligibility and registration status, the Chief Election Judge shall appoint two election judges who represent different political parties (if available) to take a ballot to an elector who is able to come to the premises where a polling place is located but is unable to enter because of a disability.

1. An elector who is unable to enter the polling place will sign the *Oath of Elector Unable to Enter Polling Place*.

2. The judges will bring the ballot to the elector and ask for identification.
3. The elector will mark and fold the ballot or place the ballot in a secrecy sleeve.
4. The judges will immediately take the ballot into the polling place and give it to the Ballot Judge, who will remove the stub and place the ballot and stub in the proper boxes.
5. The elector's identification information will be compared to the information printed in the precinct register and the standard procedure for a poll voter will be followed.
6. In the precinct register next to the elector's name, note: *"Voted on the premises by oath."* The judges will sign their names on the form and in the precinct register. The signed oath will be taped near the elector's name in the precinct register. These actions eliminate the need to take the precinct register out to the elector.

Accessible Voting Equipment

Electors also have the option of using the ExpressVote® Universal Voting System to cast their ballot.

Each absentee voting location and polling place must have accessible voting equipment available. The equipment approved for use in Montana is the ExpressVote® Universal Voting System, a specialized voting machine that allows any elector to mark their ballot **privately** and **independently**.

ExpressVote® Voter Assistance Terminal Ballot Cards

The specific procedures for handling ExpressVote® ballot cards will vary depending on the type of tabulation equipment. Please consult with your Election Administrator regarding which option is used.

Options to track and reconcile ExpressVote ballot cards:

1. If the ExpressVote® ballot cards have attached stubs, the ballot cards are handled and issued just like a regular ballot. The stub number is tracked and recorded in the poll book.

2. If the tabulation machines are not configured to read an ExpressVote® ballot card, the ballot card is handled as a **transcription ballot**. ([13-3-208\(3\), MCA](#))
 - The ballot card is placed in a secrecy envelope and placed in the ballot box (or other depository designated by the Election Administrator for these ballots). The ExpressVote® ballot card issued is noted in the poll book. The secrecy envelope containing the ballot card is sent to the transcription board for transcribing and tabulation.
3. If the ExpressVote® ballot card doesn't come with a stub or if it will be hand-counted, the ballot card is processed as a **regular ballot**.
 - For each ExpressVote® ballot card issued, a corresponding regular ballot and ballot stub number is issued and marked in the poll book with a notation that the ballot voted was an ExpressVote® ballot card. The blank unvoted regular ballot is marked by an election judge as "Voted by Express Vote" and placed into a depository designated by the Election Administrator. The corresponding stub is placed in the appropriate container. The voted ExpressVote® ballot card is placed in the ballot box.

Using ExpressVote® Voter Assist Terminals

(The following Information has been provided by Election Systems & Software - ES&S)

The ExpressVote® records votes on a separate ballot card that can be verified by the voter and tabulated.

ExpressVote® features:

-  Touchscreen
-  Large-print display
-  Braille keypad
-  Earphones for audio reading of the ballot
-  Capability for connection to personal ADA devices, such as a "Sip and Puff" device

Keep a copy of the Troubleshooting Guide with each Election Systems and Software (ES&S) ExpressVote®. Additional information is provided in the election day supplies.

ES&S (800-247-8683) and the Secretary of State Elections Division (406-444-9608) are available to help troubleshoot issues and answer questions.

ExpressVote® 2

1. Access Compartment
2. Power source indicator
3. Battery status indicator
4. Accessibility device port
5. Headphone jack
6. Paper ballot feed
7. Touch screen
8. Paper path access door



Preparing the ExpressVote® for Voting

1. Unlock and open the Access Compartment door. Turn the power switch to the ON position. Allow the ExpressVote® to complete its power-up process. Ensure the mode switch is set to VOTER to prepare the machine for voting. Close and lock the Access Compartment.
 - a. Follow your jurisdiction requirements for securing the Access Compartment with seals.
 - b. Ensure the Security Seals have not been tampered with and that the numbers on the seals match the numbers on Chain of Custody and Security Seal Log.
2. ExpressVote® HARDWARE 2.1 LOCK AND SEAL RECOMMENDATIONS:
The Access Compartment door can be locked and sealed with tamper-evident devices. Access to this compartment should be controlled, monitored, and logged at all times.
 - a. A protective slide inside the Access Compartment helps to secure any installed USB flash drives, such as the election definition flash drive. Use a T10 star-shaped screwdriver to loosen and tighten the retaining Torx screw on the slide.
 - b. Insert the necessary USB flash drive(s) into either of the two USB ports in the Access Compartment on the left side of the ExpressVote® unit. Once inserted, position the protective slide over the USB flash drive(s) and tighten the retaining screw.



3. On Election Day, secure slide with a seal.

Torx Screw and Protective Slide

4. Close the Access Compartment door.
Use the medium barrel key to lock it.



5. Use the medium barrel key to lock the
right-side paper path access door.



6. When the ExpressVote® is configured on a standard table, secure the rear USB port by affixing a tamper-evident label seal as noted.

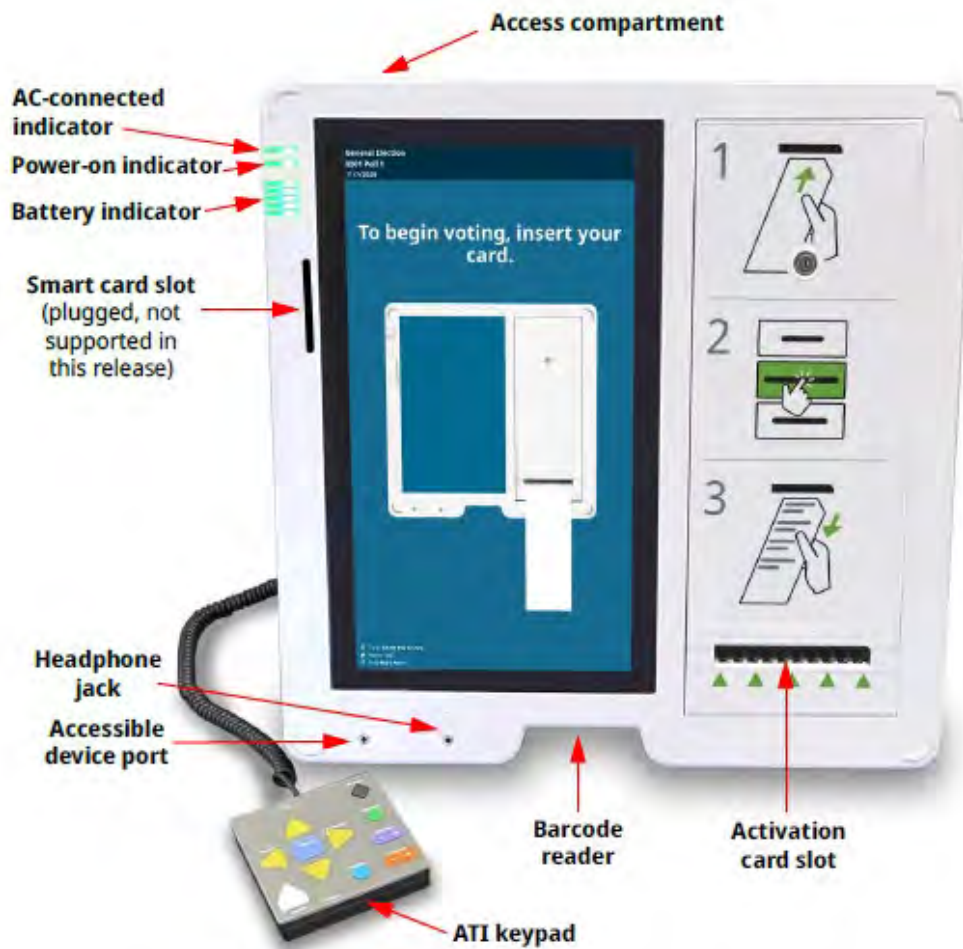
7. Ensure that the access door to the printer transport (on the front of the unit) is closed and locked with the medium barrel key to prevent access to the printing path.



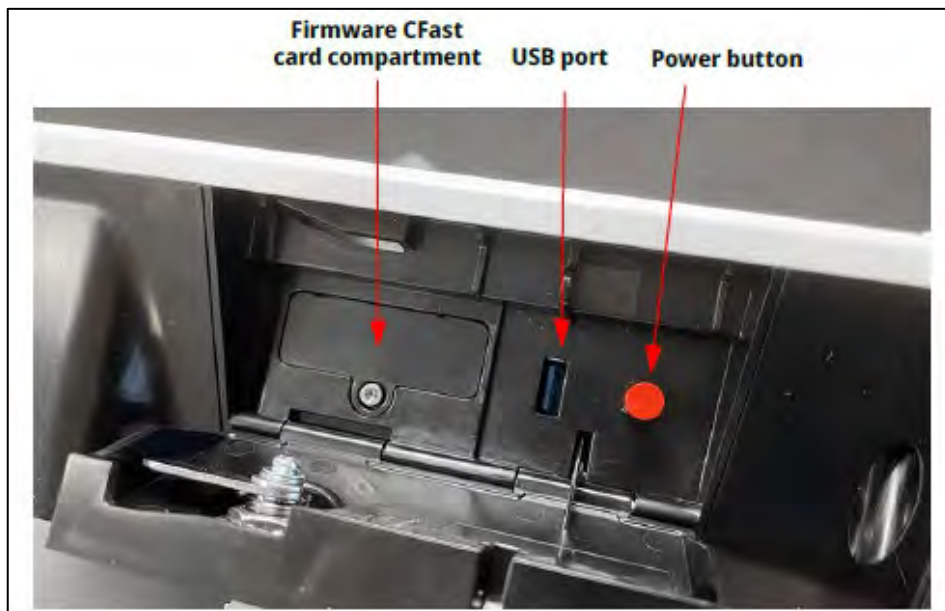
Keyed Lock

8. Power and Mode switches: ES&S provides additional protection in the form of a protective slide to cover the USB flash drive ports. This device prevents unauthorized removal of the election definition flash drive while the compartment door is open.
9. Ensure the Security Seals have not been tampered with and the numbers on the seals match the numbers on Chain of Custody and Security Seal Log.
10. If the Election Administrator has indicated this machine was randomly selected as part of the required election day testing, follow the instructions provided by the Election Administrator and refer to the appropriate testing checklist and certification form in the Uniform Voting Systems Guide.

ExpressVote® 3



Assisting Electors
with Disabilities



ExpressVote® 3 Open Procedure:

 *Before you begin, be sure you have the key and the Election Code.*



1. Plug in the ExpressVote 3 power cord into the left side of the unit and an AC outlet.



2. Using the key, open the access door on the top of the unit and insert the Election Definition drive into the USB port, if it is not already installed.



3. For accessible voting, plug in ADA accessories and remove the ATI keypad from its storage bay on the back of the unit. Headphones and other ADA devices are plugged into the front of the unit.



4. Press and release the red power button in the access compartment. Remove the Election Definition flash drive, then close and lock the compartment.

5. When prompted, enter the Election Code. Then touch **Accept**.



6. The voter welcome screen appears and voters can insert their vote activation cards.

The ExpressVote® is now open.

Vote Session Initiation and Controls



Initiating a Vote Session

Turn the Mode Switch to **Voter**. Insert an unmarked ExpressVote card into the Activation Card Slot. If multiple languages are available, select the appropriate language.

On the Precinct Search screen, touch **Search** to view a list of all available precincts. Touch the correct precinct. Once selections are made, touch **Activate** to initiate the voting session.

If using a pre-printed activation card, scan the barcode using the QR scanner on the front of the kiosk. The correct ballot will display for the voter.

More information: *ExpressVote Operator's Guide*, p. 132

Button	Description
Text Size	Allows voter to choose large or small text size.
Contrast	Changes display to white text on black background.
Language	Enables the voter to select a preferred language.
Help	Enables the voter to display the Help screen.
Quit	Enables a poll worker to quit the voting session.
Previous	Returns to the previous screen.
Next	Enters selection and opens the next screen.

Touch Screen Controls

When using the touch screen to complete a vote session, voters can use both the Title Bar (top of screen) and the Navigation Bar (bottom of screen).

The Title Bar contains buttons allowing voters to adjust the appearance of the screen, including the text size and contrast.

The Navigation Bar contains the controls to move between different screens of the ballot.

Refer to the table on the left for complete descriptions of each touch screen control.

More information: *ExpressVote Operator's Guide*, p. 41



Audio-Tactile Keypad Controls

Button	Description
Up Arrow	Moves the cursor up the screen menu.
Back Arrow	Moves to the previous screen.
Select	Selects the voter's contest choices.
Forward Arrow	Advances to next screen.
Down Arrow	Opens screen with voting instructions.
Home	Opens screen with voting instructions.
Pause	Stops the audio message momentarily.
Screen	Darkens the monitor for privacy viewing.
Repeat	Repeats the last spoken phrase of audio.
Tempo	Adjusts the audio speed.
Volume	Adjusts the audio level.

More information: *ExpressVote Operator's Guide*, p. 60

Voting on the ExpressVote



Vote Using Touch Screen

On the voting screens, touch the candidate or other contest choice to select. If there are more candidates than will fit on the screen, press the yellow **More** bar at the bottom of the screen to see remaining candidates.

To navigate between contests, touch the **Next** or **Previous** buttons in the Navigation Bar.

For contests allowing write-in votes, touch the **Write-in** option and use the on-screen keyboard to enter your write-in name. Touch **Accept**.

More information: *ExpressVote Operator's Guide*, p. 144



Vote Using Audio-Tactile Keypad

If you are using the ExpressVote for an accessible voting session, make sure the headphones are plugged into the Headphone Jack.

Use the controls on the Audio-Tactile Keypad to navigate the ballot, as instructed on page 15.

For contests allowing write-in votes, the letters will be read in alphabetical order on the ballot audio as you select letters for your write-in.

More information: *ExpressVote Operator's Guide*, p. 61
For instructions on using the rocker switch or sip-and-puff devices, please see Appendix B.



Editing Vote Selections & Printing a Ballot

Once all selections have been entered, the Verify Selections screen will display a summary of your ballot selections.

If needed, touch the contest for which you wish to make changes. Make the desired changes, and return to the Verify Selections screen.

When done verifying selections, the Print Card screen displays. Touch **Print Ballot** to print the completed ballot onto the activation card.

More information: *ExpressVote Operator's Guide*, p. 149

Appendix A: Troubleshooting

Jammed Ballot Card

PROBLEM: The card is jammed inside the ExpressVote™ equipment.

CAUSE: Although causes vary, the more typical reasons for card jams are:

- The card was inserted incorrectly, or
- The ExpressVote rollers are not functioning properly.

SOLUTION: Open the security compartment on the left side of the machine. Change the Mode Switch to **OFFICIAL**. Once the Supervisor Menu appears, press the **EJECT CARD** button.

If the card does not eject, open the security panel on the right side of the machine. Locate the card and gently pull the card out of the machine. Remove the card jam being careful to not rip the paper. Close and re-lock the security panel. Follow your jurisdictions procedures for spoiling and issuing a new card if necessary.

Screen Calibration Issues

PROBLEM: The voter pushes the oval for one candidate and another candidate is selected.

CAUSE: This could be caused by a dirty touch screen, or the alignment of the touch screen is not adjusted correctly.

SOLUTION: Put isopropyl alcohol on a soft cloth and wipe clean.

WARNING: Do not use products containing ammonia, such as Windex. This can cause the screen to become deteriorated over time. Use only isopropyl alcohol for cleaning the touch screen and scanner.

If the screen calibration issue is not due to a dirty screen, contact an election official.

Idle Error Message

PROBLEM: After several minutes, the following message appears on the ExpressVote screen:

"Continue Voting? There has been no activity for five minutes."

Next Step: To continue voting, touch 'Previous'. To receive your card without printed selections, touch 'Exit'."

CAUSE: This error message appears after the ExpressVote has been idle, with a card inserted for 5 minutes.

SOLUTION: If a voter is still using the ExpressVote, the poll worker will need to open the left security compartment and switch the Mode to **Official**. The card can be returned to the voter and be reinserted. Reinsert the card or follow your jurisdiction's spoiling procedures and issue a new card. If the voter has left the polling place, follow the steps above to retrieve the card and follow the spoil procedures.

NOTE: The option to go back to previous screen in Voter mode only exists after 5 minutes of inactivity. If the terminal is inactive for another 5 minutes, you will need to go to Official mode and eject the card from the Main Menu.

Appendix A: Troubleshooting (continued)

Protecting Privacy While Assisting Voters

PROBLEM: As a poll worker I don't want to invade the voters privacy when answering their questions.

SOLUTION: The ExpressVote Keypad is equipped with a privacy key which will turn the screen black when viewing. The diamond shaped key at the top-right of the keypad allows the screen to be not viewable.

If the Keypad is connected, this will preserve the privacy for the voters who are using only the audio feature to select their votes or for voters who request assistance from a poll worker. Poll workers can easily access the button when approaching the ExpressVote™ from behind as long as the keypad is connected.

Make sure you tell the voter who is using a visual card to press the button again to resume the card on the screen.

Contacting Technical Support

If you need assistance, ES&S technical support staff can provide advice and help you resolve the situation. Support representatives are available Monday through Friday, between 7:00 a.m. and 7:00 p.m. Central Time.

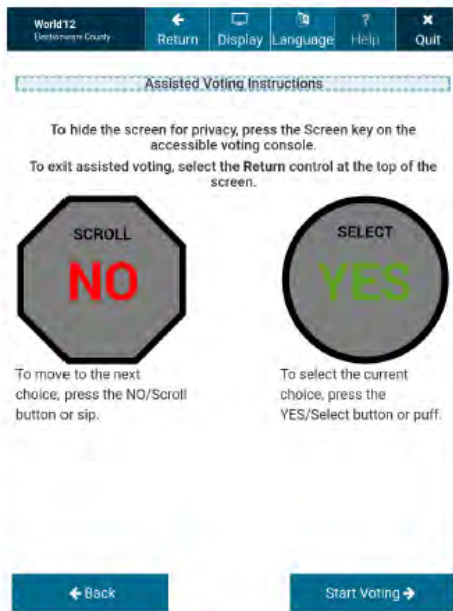
Phone: 1-877-ESS-VOTE (1-877-377-8683), Option 4
E-mail: technicalsupport@essvote.com

When you contact ES&S for technical support, have the equipment on hand and be prepared to provide the following information to the support representative:

- Model number of the product you are using
- Firmware version of the product
- Exact wording of any messages that appeared
- Description of what was happening when the problem occurred

Appendix B: Accessible Voting Options

Voting with the Rocker Switch Device



The rocker switch is a large-button, two-position switch assistive technology that can assist voter's who are unable to use the ExpressVote touch screen or the audio-tactile keypad. The rocker switch device can be hand-held, placed on a table, or placed on the floor for foot operation.

Voters can use **Scroll/NO** and **Select/YES** buttons to navigate on-screen ballot contests and select their voting choices. The rocker switch buttons feature both visible text and embossed Braille identification labels. The voter can use the following rocker switch controls to conduct the voting session.

To vote using the rocker switch, press the **NO** switch to sequentially scroll through the on-screen elements in a clockwise direction.

If the voter scrolls past the desired selection, press **NO** to scroll through all subsequent clockwise selections to return to the desired voting choice.

Press the **YES** switch to highlight the desired on-screen element. When the desired element is highlighted, press **YES** again to select the choice.

More information: *ExpressVote Operator's Guide*, p. 67

Voting with the Sip & Puff Device



Sip-and-puff refers to the assistive technology device commonly used by individuals with motor disabilities or limited dexterity. Voters use a mouthpiece to navigate on-screen ballot contests with inhalations (sips) and make their selections with exhalations (puffs).

The air tube is attached to a small switch box connected to the ExpressVote's auxiliary panel. The switch box converts sips and puffs into electrical signals that correspond to selection and navigation commands.

The voter should **sip** to sequentially scroll through the on-screen elements in a clockwise direction.

Each sip highlights the next on-screen element. If the voter scrolls past the desired selection, the voter should **sip** through all subsequent clockwise selections to return to the desired voting choice.

The voter should **puff** to select the desired on-screen element.

More information: *ExpressVote Operator's Guide*, p. 69

Absentee Voting and Absentee Ballots

Absentee Voters at the Polls.....	34
Delivery and Recording of Absentee Ballots	35
Processing Absentee Ballots Delivered to the Polls from the Election Office.....	35

Absentee Voters at the Polls

On election day, electors may return absentee ballots to the election office or any polling place in the county where the elector is registered to vote. This also applies to late registrants. *For school districts, ballots can be returned to any polling place in the school district.*

- An absentee ballot dropped off at a polling place other than the one in which the elector appears on the register must be:
 - delivered to the election office by the election judges for signature verification and tabulation if tabulation of absentee ballots is done at a central location or handled as directed by the Election Administrator; **or**
 - delivered to the election office by the election judges for signature verification. If all counting is done at the precinct location, the election office will then deliver the ballot to the correct precinct or handle it as directed by the Election Administrator.

 ***Absentee ballots dropped off at the polling place must be sealed in a secrecy envelope and then in an affirmation signature envelope.***

When absentee electors want to vote at a polling place:

- If the elector has their unmarked absentee ballot, direct them to the voting booth. The elector should mark their ballot, place and seal it in the secrecy envelope, and then in the signature envelope. Confirm the required information has been provided on the envelope, then place it in the absentee ballot box or other depository designated by the Election Administrator.

 ***Note:*** *If the elector does not have their secrecy and signature envelopes, replacements should be provided. If replacement absentee envelopes are not available, handle the ballot as a **provisional ballot** so the ballot totals match at the end of the night.*

Do not deposit the ballot in a ballot box if it is not in an absentee envelope.

- If the elector does not have their absentee ballot and affirms it was not received, or was spoiled, lost, or destroyed, the elector must be issued a **provisional ballot**. The elector should be advised that if their absentee ballot was received by the election office, the provisional ballot will be rejected.

Delivery and Recording of Absentee Ballots

([13-13-233\(3\)](#) and [13-13-204\(1\), MCA](#))

(This section is for counties that do NOT have an appointed Absentee Ballot Counting Board. For the counties that DO, please reference page 21 of the Ballot Counting and Tabulation guide for instructions.)

The Chief Election Judge shall receive in supplies a container with voted absentee ballots received by the Election Administrator prior to election day, with a certificate stating:

- the number of absentee ballots delivered,
- the number of ballots retained for late absentee voting, and
- the names and number of electors receiving an absentee ballot.

 See *The Provisional Judge* guide for additional information.

Processing Absentee Ballots Delivered to the Polls from the Election Office

Signature verification will likely take place at the election office before ballots are delivered to the polls from the election office ([13-13-241, MCA](#)). If a county is tabulating absentee ballots at a central location, the county election office will not deliver absentee ballots to the polls.

- If signature verification is not completed by the election office prior to absentee ballots being delivered to the polling place, compare the information provided by the elector on the absentee ballot request form or voter registration form with the affirmation on the elector's signature envelope. The signature must match, and the affirmation must be completed.
- If the signature does not appear to match or if the affirmation is not complete, and if, after the elector is notified pursuant to [13-13-241\(5\), MCA](#), the elector fails to affirm or provide the signature by the close of polls, handle the ballot as a **provisional ballot**.

 See *The Provisional Judge* guide for additional information.

1. Open the verified absentee ballot signature envelope without opening the secrecy envelope.

2. If the elector is listed in the register **and is not listed as provisionally registered**, handle the ballot as a **regular ballot** by either placing the secrecy envelope in the voted ballot box, or by placing the secrecy envelope in a container specified by the Election Administrator for absentee ballots delivered to the polls.
3. If the elector **is listed in the register as provisionally registered**, confirm that evidence of eligibility, the elector identification form, or copies of ID are enclosed as required.

! See *The Provisional Judge* and *The Register Judge* guides, and the *Special Situations* section on page 37 for additional information.

4. After opening the absentee ballot signature envelope and if the ballot has not been placed in a secrecy envelope, without unfolding the ballot or permitting it to be examined, place the ballot in a secrecy envelope, and place the secrecy envelope in the proper ballot box.

! **Note:** In a *primary election*, unvoted absentee ballots, if returned, must be deposited in the unvoted ballot box without being removed from the "For Unvoted Party Ballot(s)" envelopes.

5. Place emptied absentee ballot signature envelopes in the envelope or container marked for that purpose.



Special Situations

Special Situations	36
Resolving Challenges	36
Process for Handling Challenges at the Polling Place.....	36
Spoiled Ballots	37
Erroneous Omission from Precinct Register	38
Late Registration	38

Special Situations

This section provides additional information and instruction for required election processes when certain polling place situations occur.

Resolving Challenges

An elector's right to vote may be challenged at any time by any registered elector. The challenger must complete and sign an affidavit stating the grounds of the challenge and provide any evidence supporting the challenge to the Election Administrator or, on election day, to an election judge. ([13-13-301, MCA](#))

If the challenge at issue is resolved in the challenged elector's favor before the time the elector is issued a ballot, the elector is no longer a challenged elector and may vote a **regular ballot**.

If a challenge is not resolved, "*...after the close of registration, the Election Administrator, or on election day, either the Election Administrator or an election judge shall allow the challenged elector to cast a **provisional paper ballot**, which must be handled as provided in [13-15-107, MCA](#)."* ([13-13-301\(3\)\(b\), MCA](#))

A change of address itself is not sufficient grounds to successfully challenge an elector's right to vote. An elector may confirm their address before receiving a ballot. When an elector goes to the polls and their name appears on the precinct register, the challenge is resolved in favor of the elector and the elector votes a **regular ballot**.

Late registrants indicate their voting address at the time of registration and are placed in the correct precinct. The challenge is resolved in favor of the elector, and they vote a **regular ballot**.

Process for Handling Challenges at the Polling Place

A challenge at the polling place **must be**:

- in the form of an affidavit (see the Affidavit of Individual Challenging an Elector, [13-13-301\(1\), MCA](#)); and
- made by a registered Montana elector. ([13-13-301\(4\)\(a\), MCA](#))

Once a challenge is made at the polling place, the challenged elector must complete the "Affidavit of Challenged Elector." If the challenged elector provides a current

address that conforms to the registration address on record, the elector should sign the register and be issued a **regular ballot**. Otherwise, the elector may vote a **provisional ballot**.

A challenge must fail if the only basis of the challenge is a change of address unless the elector confirms the change of address in writing.

 **Reminder!** *The elector may vote one last time based on their former address. The voter must complete a new voter registration form to update their address.*

Spoiled Ballots

([13-13-117, MCA](#))

An elector who spoils their ballot must return the spoiled ballot and be given another ballot in its place. There is no limit to the number of ballots an elector can receive to replace spoiled ballots. ([13-13-117\(1\)\(b\), MCA](#))

1. The elector must return the spoiled ballot enclosed in the secrecy sleeve, or folded with the stub showing, to the Ballot Judge.
2. The Ballot Judge must instruct the elector to write “spoiled” on the ballot, and without violating the secrecy of the ballot, the Ballot Judge must mark “spoiled” on the stub of the original ballot, remove the stub, and place it in the stub box.
3. The elector shall place the spoiled ballot in an envelope marked “spoiled.” Election judges should not place the ballot in the spoiled ballot envelope due to the possibility of the loss of secrecy of the ballot.

 **Note:** *In a **partisan primary election** – The Ballot Judge will write “spoiled” on the stubs of each party ballot for the election, remove them, and place them in stub box. Voted spoiled ballots are deposited in the “spoiled” envelope in the ballot box or stub box as directed by the Election Administrator. Unvoted spoiled ballot(s) are deposited in the box for unvoted ballots. A new set of party ballots are then issued.*

4. The Ballot Judge will instruct the Poll Book Judge to mark the poll book accordingly for the spoiled ballot number and will give the elector a new ballot and announce the new ballot number to the Poll Book Judge to record.
5. The word “spoiled” must be marked beside the elector's name for that ballot number in the poll book.

 **Reminder!** *Stickers or labels to cover up and correct errors on ballots are prohibited and may not be provided to an elector by an election judge or applied to ballots by election officials.*

Erroneous Omission from Precinct Register

([ARM 44.3.2111](#))

An individual whose name is erroneously omitted from a precinct register or other election register may obtain from the Election Administrator a certificate of error, stating the precinct in which the individual is entitled to vote. The individual may then present the certificate, entitling them to vote a **regular ballot**, to the election judges.

- The election judges must mark “voted” on the certificate and return it to the Election Administrator with the precinct register.
- The individual will sign the back of the precinct register or a location specified by the Election Administrator.

If the individual is unable to secure a certificate of erroneous omission from the Election Administrator, but the Chief Election Judge is able to confirm the erroneous omission by contacting the election office, the individual may vote a **regular ballot** by signing the elector’s oath attesting their name was erroneously omitted.

If the Election Administrator cannot confirm the individual’s name was mistakenly omitted, the individual may vote a **provisional ballot**. The individual must complete the Provisional Ballot Outer Envelope and be provided the written instructions on their responsibilities to have the ballot counted.

Alternatively, the individual may go to the county election office to resolve the issue and may be able to vote at the same time.

Late Registration

Late Registration on election day requires being in person at the election office or alternate location designated by the Election Administrator. An elector appearing at the polling place to late register must be sent to the election office or designated alternate location. Confirm with the Election Administrator the close of Late Registration on election day in consideration of current statute.

A procedure must be in place to determine whether a person was in line at the closing deadline. No person may be allowed to register after the close of late registration, unless it is certain the individual was in line prior to the time of closing.

1. An elector who changes residence to a different county **prior to the close of late registration** 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 by appearing at the election office or location designated by the Election Administrator.
3. After the **close of late registration** for the current election, an elector may:
 - a. 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](#).
 - b. Update their residence to a different precinct within the county and may vote a ballot from the former precinct or the new precinct. The elector may obtain the former precinct ballot at their former precinct or obtain a ballot for their new precinct at a central location designated by the county Election Administrator.
 - c. Change their name and may vote under the elector's former name unless the registration is cancelled.
 - d. 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.
4. An elector who registers or changes their information under these procedures may vote a **regular ballot** in the election only if the elector receives the ballot from the county election office (or the location designated by the Election Administrator), and only if the elector has either **not been** issued an absentee ballot for the election in the elector's former precinct or county, or the absentee ballot issued is voided by the county of issuance.
5. If an elector has already been sent an absentee ballot for the election, the elector may vote a regular ballot only if the original absentee ballot is voided in the statewide voter registration system by the issuing county.
6. Late registration applies with respect to an elector's registration to vote in any election, including school elections and special purpose district elections.

Polling Place Identification

Before an elector is permitted to receive a ballot and vote, they must present to the election judge an acceptable form of ID. "**Identification**" for the purpose of voting at the polling place means:

Current photo identification which can be:

1. Montana driver's license,
2. Montana state identification card issued pursuant to [61-12-501, MCA](#),
3. Military identification card,
4. Tribal photo identification card,
5. United States passport,
6. Montana concealed carry permit; **or**
7. A student photo identification card issued by the Montana university system or a school that is a member of the National Association of Intercollegiate Athletics;

OR

8. A **current** utility bill, bank statement, paycheck, government check, or other government document that shows the elector's name **and** current address, **AND** photo identification that shows the elector's name.

Important Information on Identification Requirements

If the name or address on a **non-photo identification** provided differs from information in the precinct register, but an election judge determines the information provided is sufficient to verify the elector's identity to vote pursuant to [13-2-512, MCA](#), the elector may sign the precinct register, complete a new registration form to correct or update the elector's registration information, and vote a **regular ballot**.

On election day, election judges will encounter situations that must be resolved before the elector may cast their ballot. The following are common situations experienced by election judges in a polling place setting:

The elector's ID differs from information in the register:

If the elector's ID has information that differs from the register, but the election judge determines the information provided is enough to verify the elector's identity and eligibility to vote, the elector may sign the register and vote a **regular ballot**.

If the information in the register is incorrect, have the elector fill out a voter registration form with their correct information and they may vote a **regular ballot**.

 **Note:** *If the elector has moved outside of the county, they may vote one last time based on their former address ([13-2-512, MCA](#)).*

The elector did not bring an acceptable form of ID or the information presented is insufficient to verify the elector's identity and eligibility to vote:

If the elector did not bring an acceptable form of ID, the elector may choose to return to the polling place with the required identification and vote a regular ballot or, if the elector is unable to meet the ID requirement, the elector may vote a **provisional ballot**.

The elector's name is not in the register:

If the elector's name is not in the register, call the election office to verify if the elector's name was omitted erroneously.

 **See the *Erroneous Omission from Precinct Register*, page 40, for instructions.**

*If the elector chooses **not** to vote a **provisional ballot**, direct them to the election office or designated location to resolve the omission.*

Inactive Electors at the Polling Place

An elector can be placed in "Inactive" status for a variety of reasons established in law ([13-2-220, MCA](#), and [ARM 44.3.2014](#)). These reasons include not responding to correspondence during annual voter list maintenance or having a ballot returned to the election office as undeliverable in a mail ballot election.

An **inactive** elector may reactivate their registration on election day by appearing at the polling place or by requesting an absentee ballot. The elector may vote a **regular ballot** on election day at the county election administrator's office or a central location designated by the county Election Administrator (which may include the polling place). See [13-2-222, MCA](#) and [ARM 44.3.2015](#).

 **Note:** *An inactive elector should fill out a voter registration form if any information in their voter record has changed.*

Closing the Polls

Close of Polls	46
Procedures for Close of Polls for ExpressVote®	46
Powering Down and Storing the ExpressVote®	47
Procedures for Close of Polls for Models DS200®/DX300® Ballot Tabulators.....	48
Removing the USB Flash Drive and Ballots from the Tabulator	48
Disassembling the Tabulator	49
List of Envelopes for Ballots and Supplies	50

Close of Polls

Shortly before 8:00 p.m. (or earlier if all registered electors have voted), the Chief Election Judge (or Polling Place Manager) shall proclaim the polls will soon close, then proclaim the closing of the polls at closing time. ([13-13-101\(2\), MCA](#))

No person shall be allowed to vote after the polls are closed, unless it is certain the elector was inside the polling place before closing time or in line outside if the polling place is not large enough to accommodate the electors waiting to vote.

A procedure must be in place for determining the last person in line at 8:00 p.m.

Procedures for Close of Polls for ExpressVote®

The following procedures must be carried out by an election judge trained to operate each type of equipment and at the direction of the Election Administrator.

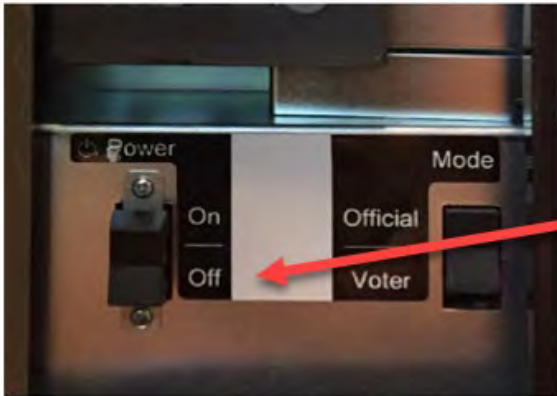
Follow all security procedures as directed by the Election Administrator.

1. Verify the security seal information against the Chain of Custody and Security Seal Log. Enter the information into the log, sign, and date it.
2. Power down the ExpressVote® voting system utilizing the instructions on the following page.
3. Store the ExpressVote® according to your jurisdictional instructions from the Chief Election Judge or Election Administrator and place it in a secure location for pick up.
4. Ensure any unvoted ExpressVote® Ballot Cards are secured and stored with the other unvoted ballots.

Powering Down and Storing the ExpressVote®

! For more information, see the ExpressVote® Operator's Guide.

ExpressVote® 2



1. At the end of voting, unlock and open the Access Compartment using the barrel key. Turn the power switch to the Off position. Close and lock the Access Compartment.

2. Allow the ExpressVote® to completely power down. Remove the headphones and unplug the terminal from the AC power source.

ExpressVote® 3

! Before you begin, be sure you have the key.



1. Touch the system information panel in the lower-left of the voter welcome screen. Then, on the Poll and Device Status screen, touch the **Mode** button and enter the election code to access the Supervisor menu.



2. In the upper-right corner, touch the **Power** icon. Then, on the Confirm Shut Down screen, touch **Shut Down**. After the unit is powered off, store the ADA keypad on the back of the unit and unplug the headphones.



3. Disconnect the power cord. Wrap the unit in its plastic bag (if provided) and then place the ExpressVote into its carrying case. Stow the power cord and headphones in the side pocket of the carrying case.

The ExpressVote® is now closed.

Procedures for Close of Polls for Models DS200® and DX300® Ballot Tabulators

*The following procedures must be carried out by an election judge trained to operate each type of equipment and at the direction of the Election Administrator.
Follow all security procedures as directed by the Election Administrator.*

1. Before closing the polls, make sure all ballots from any eligible voters have been inserted into the DS200® or DS300® ballot tabulators.
2. Check the Uncounted Ballot Storage Bins (also known as the auxiliary or emergency bin) of both ballot boxes for uncounted ballots. Follow established procedures for processing uncounted ballots.
3. Remove the security seal, open the Key Access Panel, and press and hold the “Close Polls” button for five seconds.
4. Once you release the “Close Polls” button, the tabulator will close the polls and automatically print a Voting Results Report and any other reports set up to print.

Removing the USB Flash Drive and Ballots from the Tabulator

1. Turn off the tabulator. This step is extremely important.
 2. Remove the security seal and open the access door.
 3. **Do not remove the flash drive until the machine is powered off!**
 4. Remove the flash drive by pulling it out of the USB port.
 5. Attach or place the flash drive in a sealed envelope with the corresponding DS200® or DS300® printer report to be returned to the Election Administrator in sealed envelope #11 or in a container specified by the Election Administrator.
-  **See the *List of Envelopes for Ballots and Supplies*, page 50.**
6. Open the ballot compartments of both boxes and remove the ballots. Be sure to follow the specific ballot handling procedures as directed by the Election Administrator.

Disassembling the Tabulator

1. Ensure the machine is off. Lock and seal the access panel and store the key as prescribed in your established election procedures.
2. Ensure the Key Access Panel and Printer Access Panel are closed and sealed.
3. Unplug the tabulator from the outlet.
4. Pull the tabulator forward about 4 to 5 inches and disconnect the power cord from the tabulator.
5. Pull the cord out of the ballot box and place it inside the tabulator carrying case.
6. Slide the tabulator forward until it is free of the ballot box mounting rails. Place the tabulator inside the carrying case.
7. Make sure no ballots remain in the ballot box.
8. Lock all ballot box doors.
9. Return all tabulator keys and ballot box keys to the Chief Election Judge to be secured and returned to the Election Administrator.

List of Envelopes for Ballots and Supplies

All envelopes may not be used by your jurisdiction. Follow the instructions provided by your Election Administrator.

- | | |
|--------------------|--|
| Envelope No. 1 | Poll Books, tally books, precinct register. SEAL this envelope. |
| Envelope No. 2 | Ballots not issued with numbered stubs attached.
SEAL this envelope. |
| Envelope No. 3 | All hand-counted voted ballots, including those not counted or rejected (and all detached stubs, unless in Envelope 4).
SEAL this envelope. |
| Envelope No. 4 | Primary election – unvoted party ballots and all detached stubs, and all detached stubs from voted ballots. SEAL this envelope.

General election – at your option, if detached stubs are not put in Envelope 3, place them in Envelope 4. SEAL this envelope. |
| Envelope No. 5 - 6 | (County custom use) |
| Envelope No. 7 | Unofficial election return sheet, for hand-count ballots or precinct-tabulated ballots. Keys and time sheets.
DO NOT SEAL this envelope. |
| Envelope No. 8 | Unopened and unexamined absentee ballots (if applicable). |
| Envelope No. 9 | Absentee ballots sent from the Election Administrator to the Chief Election Judge, to be opened on election day. |
| Envelope No. 10 | Empty absentee ballot envelopes and written requests for absentee ballots, if applicable. SEAL this envelope. |
| Envelope No. 11 | DS200®/DS300® flash drive with corresponding printer report attached to card. SEAL this envelope. |
| Envelope No. 12 | Supply envelope sent from the Election Administrator to the election judges. |

Appendix

Guidance to Election Officials Regarding Official Poll Watchers and Election Observers	52
General Guidelines	52
Electioneering and Signature Gathering	56
What is Electioneering?	56
Frequently Asked Questions	56
Polling Place Contingency Plan	58
Additional Resources for Election Judges	59

Guidance to Election Officials Regarding Official Poll Watchers and Election Observers

Poll watchers and election observers are an important part of Montana’s open and transparent election process. Guidelines for observers must be **reasonable, fairly applied, and documented** for election day. The following guidelines are intended to provide guidance to election officials regarding their roles and responsibilities pertaining to poll watchers and election observers.

General Guidelines

Election day is for the elector. As a rule, no person may obstruct the polling place or engage in solicitation of an elector in any manner that interferes with the election process or obstructs the access of electors to or from the polling place. Unlawful conduct at a polling place is punishable as a misdemeanor under Montana law.

The role of the poll watcher is to observe and monitor the election without violating voter privacy or disrupting the election. Poll watchers and election observers may observe the entire vote counting procedure, including early tabulation before the polls close, and all entries of election results. In addition to the official oath taken and subscribed to by the election judges, poll watchers, and observers must sign the following affirmation ([13-15-207\(4\), MCA](#)) and may not disclose results learned prior to the polls closing on election day under penalty of law ([13-35-241, MCA](#)).

“I, _____, will not discuss the results of the early counting of votes any time prior to the closing of the polls on election day.”

(Access to an electronic system containing early tabulation results is limited to the Election Administrator and the Elections Administrator’s designee.)

Election officials must permit one poll watcher from each political party to be stationed close to the poll lists in a location that does not interfere with election procedures ([13-13-120\(1\), MCA](#)). For a mail ballot election, at least one poll watcher from each political party must be permitted at each place of deposit designated under [13-13-120\(3\), MCA](#) and [13-19-307, MCA](#).

Election officials are allowed some discretion in dealing with observers. Each election location should be evaluated in advance to determine how to handle non-electors on election day. This may vary from jurisdiction to jurisdiction for reasons including but not limited to:

- The size and configuration of the polling place, election office, or tabulation center
- The resources available to the county on election day, including staffing levels
- The number of observers requesting access to a location

The Election Administrator, where applicable, or election officials working at the polls may uniformly ([13-1-301](#) and [13-35-203, MCA](#), and [ARM 44.3.2904](#)):

- Use discretion in determining a sufficiently close distance for observers to be stationed from the process they want to observe.
- Establish security protocol for observers, including using sign-in sheets and identification badges and prohibiting the use of cell phones, pagers, cameras, and other audio or video equipment or electronic devices.
- Require order and quiet inside any observation area.
- Use discretion in determining how and to whom observers may pose questions and challenges during the observation process.
- Restrict the number of observers permitted in a polling place, election office, or tabulation center to prevent interference with the election process, if the restriction is **reasonable and fairly applied**.
- Restrict the items observers may bring into the polling place, election office, or tabulation center such as cell phones, large bags, and backpacks.
 - If cell phones are allowed, poll watchers, observers, and signature gatherers using cell phones should be asked to go to a secluded area or outside the polling place, where electors will not hear the call and will not be distracted. Cameras or other electronic devices should be handled in a similar fashion. The elector must be able to vote in secrecy and without interruption.
- Request assistance from law enforcement when necessary to ensure orderly and unrestricted access to the polling place and election office by electors.
- Restrict any activity they determine undermines the **security, integrity, or accuracy** of the election process at the polls, tabulation center, or election office.

The Election Administrator, or other election officials where appropriate, may provide uniform guidance to official poll watchers and election observers as follows:

- Individuals will notify the appropriate election official(s) as soon as possible **before** election day of their interest in being poll watchers or election observers.
- Poll watchers and election observers should familiarize themselves with Title 13 Election Laws of Montana and county-specific election guidance.
- Poll watchers and election observers will check in with the Chief Election Judge at the polling place, election office, or tabulation center to find out where their designated observation area is located.
- A name tag provided by the Chief Election Judge clearly identifying an individual as a poll watcher or election observer is required to be **worn at all times** in the polling place, election office, or tabulation center where they are observing.
- Any questions, concerns, or suggestions from poll watchers and election observers are to be directed to the Chief Election Judge for the location, unless otherwise instructed.
- Poll watchers and election observers must observe the proceedings at the polling place, election office, or tabulation center **without interfering** with electors or election officials.
- Poll watchers and election observers of early counts before polls are closed must also complete and sign the affirmation in law.

Poll watchers and election observers **may**:

- Request that the judge repeat an elector's name. At the time when each elector signs their name, the Register Judge shall pronounce the name loud enough to be heard by the poll watchers. A poll watcher who does not understand the pronunciation has the right to request that the judge repeat the name.
- Obtain permission from the Chief Election Judge to view the register during a time that does not interfere with any voting.
- Challenge any elector using the prescribed form.
- Speak to an election judge at a polling place to discuss the application or interpretation of election procedures or laws, provided it **does not interfere** with election procedures as determined by the Chief Election Judge.

Poll watchers and election observers **may not**:

- Interfere with electors, election officials, or the conduct of an election at the polling place, election office, or tabulation center.
- Solicit information or promote an issue or candidate to electors in the polling place.
- Be a candidate serving as a poll watcher or be an observer at a polling place where their name is on the ballot. ([13-13-120, MCA](#))
- As a candidate, or family member of a candidate, or worker or volunteer for a candidate's campaign, distribute alcohol, tobacco, food, drink, or anything of value to an elector within a polling place or a building in which an election is being held or within 100 feet of an entrance to a polling place. ([13-35-211, MCA](#) and [ARM 44.11.606](#))

To protect the security and integrity of the election, official poll watchers and election observers at the polling place on election day may not:

([13-35-203, MCA](#) and [ARM 44.11-606](#))

- Prevent, obstruct, impair, or hinder the election from being fairly and lawfully conducted.
- Physically handle any voting materials or equipment without the express permission of the Election Administrator or chief polling place election official.
- Move or rearrange tables, chairs, or other election day equipment without the express permission of the Election Administrator or chief polling place election official.
- Sit at an official worktable or view confidential voter information on any equipment or paper document.
- Assist in any way with the official election process operations at a polling place, election office, or tabulation center.
- Communicate with voters regarding voting for or against any candidate or issue on the ballot unless they are at least 100 feet from any entrance to a polling place.
- Display or wear any campaign material.
- Distribute alcohol, tobacco, food, drink, or anything of value to a voter within 100 feet of a polling place ([13-35-211, MCA](#) and [ARM 44.11.606](#)).
- Discuss or disclose the results of the early counting of votes at any time prior to the closing of the polls on election day ([13-15-207, MCA](#) and [13-35-241, MCA](#)).

Electioneering and Signature Gathering

Electioneering *generally* falls under the jurisdiction of the [Commissioner of Political Practices](#). Call 406-444-2942 or email cpphelp@mt.gov or cppcompliance@mt.gov for specific questions or additional guidance.

What is Electioneering?

Electioneering is the solicitation of support or opposition to a candidate or issue to be voted upon at the election.

Frequently Asked Questions

Q. What is the “100 FOOT RULE?”

A. Montana law restricts campaigning, or “electioneering at any location where an elector may obtain or vote a ballot, or within 100 feet of any entrance to a building in which an elector may obtain or vote a ballot, during the hours the location is open to obtain or vote a ballot, that aids or promotes the success or defeat of any candidate or ballot issue to be voted on at the election.” ([13-35-211, MCA](#))

Q. How do I measure 100 FEET – is it 100 FEET from any polling place?

A. The law states “within 100 feet of an entrance to a building in which an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot.” ([13-35-211, MCA](#))

Q. Can electioneering occur in an area BEYOND 100 FEET from the polling place?

A. Generally, speech beyond 100 feet from an entrance to a polling place is not restricted.

Q. Can I wear a badge, button, or campaign shirt to the polls? What about bumper stickers?

A. Per [13-35-211, MCA](#), “A person may not buy, sell, give, wear, or display at any location where an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot, any badge, button, or other insignia that is designed or tends to aid or promote the success or defeat of any candidate or ballot issue to be voted on at the election.”

[ARM 44.11.606](#) provides that “Electioneering does not include the display of ordinary bumper stickers on automobiles.”

Q. Can CAMPAIGN MATERIALS be brought into a polling place?

A. No, soliciting support for or opposition to a candidate or issue at a location where an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot is prohibited when that candidate or issue is on the ballot.

Q. Can people GATHER SIGNATURES ON PETITIONS at the polling place?

A. Yes, orderly signature gathering that does not interfere with the election process or obstruct elector access to the polls is not prohibited as long as the petition does not concern an issue being voted on at the polling place. Additionally, opponents to an issue for which signatures are being gathered have the same rights and responsibilities as signature gatherers at the polling place.

“A person on election day may not obstruct the doors or entries of any polling place or engage in any solicitation of a voter within the room where votes are being cast or elsewhere in any manner that in any way interferes with the election process or obstructs the access of voters to or from the polling place.” ([13-35-218\(4\), MCA](#))

Q. Can CANDIDATES BE AT the polling place? Can they WORK at the polls?

A. Statute does not prohibit candidates in the polling place. It prohibits electioneering (which includes campaigning) in any location where an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a ballot. Candidates and certain family members are prohibited by law from working as election judges. (See [13-4-107\(2\), MCA](#).)

Q. Can FOOD, DRINKS, AND OTHER ITEMS be provided to people waiting in line to vote at a polling place?

A. On election day, a candidate, a family member of a candidate, or a worker or volunteer for the candidate’s campaign may not distribute anything of value to a voter in a polling place or within 100 feet of a polling place entrance. ([13-35-211, MCA](#) and [ARM 44.11.606](#))

Q. What do I do if I see a VIOLATION?

A. If a violation is witnessed, inform the Chief Election Judge. If the official is unable to correct the problem, they should contact law enforcement.

“An election officer, sheriff, constable, or other peace officer may clear the passageway, prevent any obstruction, or arrest any individual obstructing the passageway to a polling place.” ([13-13-122, MCA](#))

Polling Place Contingency Plan

In cases involving extreme emergencies, it may be necessary for the Secretary of State to provide special directives regarding election day.

If directives are necessary, the Election Administrator will relay and distribute all information to the election judges.

Emergency Relocation of Polling Place Checklist

The Chief Election Judge or Polling Place Manager will use the following checklist in the event an emergency requires relocation of the polling place.

Modify this checklist as necessary for county-specific procedures.

1. Is there an immediate threat to the safety of electors or election judges?

If yes, evacuate electors and judges, and call 911!

2. If there is no immediate safety threat:

- ☐ Call the Election Administrator at: _____.
- ☐ Evacuate electors in a calm manner. Let electors who have a ballot finish voting unless a threat is imminent.
- ☐ Seal and secure all ballots for transport.
- ☐ Before voting machines are turned off, note the number of ballots on each machine so the number can be verified at the new location.
- ☐ Secure the voting equipment and prepare for transport.
- ☐ Transport equipment and supplies to the designated relocation area using bipartisan teams of judges. Make sure at least two judges are present when handling ballots or voting equipment.
- ☐ Post polling place relocation signs where they are easily visible at the evacuated polling place location.
- ☐ Set up election machines, ballots, and other supplies at the new polling place.
- ☐ Verify seals on the equipment and ballot boxes are intact.
- ☐ After the voting machines are turned on, verify the number of ballots on each machine is the same. New “zero” tapes are not required.
- ☐ Resume voting as quickly as possible.
- ☐ Contact the Election Administrator when relocation is complete.

Additional Resources for Election Judges

Voters' Frequently Asked Questions on the Secretary of State's website:

sosmt.gov/elections/FAQ

Vote Ready (voter registration information, polling place locator, sample ballot, tracking absentee ballot status): votemt.gov/

Election Laws of Montana, Title 13 Montana Code Annotated (MCA):

leg.mt.gov/bills/mca/title_0130/chapters_index.html

Federal Voting Assistance Program (FVAP) for Military or American Overseas voters (UOCAVA): <https://www.fvap.gov>

Election questions: Call the [local county election office](#) or Secretary of State - Elections Division, at (406) 444-9608 or (888) 884-8683.

Polling Place electioneering questions: Call the Commissioner of Political Practices at (406) 444-2942 or see the website at <https://politicalpractices.mt.gov/>.



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