



Montana 2010 Election Calendar

Published by Secretary of State Linda McCulloch

Deadline	Item	Statute
January 1 - 31	Period for county election administrators to mail forwardable address confirmation cards to electors on the annual absentee list	13-13-212
January 14	First day for candidates to file for office	13-10-201
February 28	Deadline for county governing body to change precinct boundaries	13-3-102(1)
Within 3 days	County governing bodies to certify precinct boundary changes to election administrators	13-3-102(2)
Within 10 days	County governing bodies deliver to the election administrators legal description and map showing borders of all precincts and districts in which elections are held within the county (election administrators submit map to Secretary of State)	13-3-103
March 8	Deadline for independent, minor party and new political party petitions to be submitted to election administrators	13-10-201(6) 13-10-503 13-10-601
March 15	5:00 p.m. - Last day for candidates to file for office	13-10-201
	5:00 p.m. - Deadline for candidates to withdraw primary election candidacy	13-10-325
	Deadline for county election administrators to file verified independent, minor party and new political party petitions with the Secretary of State	13-10-201(6) 13-10-503 13-10-601
Within 5 days of filing for office	Candidates must file appropriate paperwork with Commissioner of Political Practices in order for their names to appear on the ballot	13-37-201
March 15 - 23	Period for election administrators to certify to Commissioner of Political Practices the names of all statewide, state district and county candidates in the counties who have complied with MCA Title 13, Chapter 37	13-37-126(1) 13-37-225
	Period for Secretary of State to certify names and designation of candidates to election administrators	13-10-208(1)
After March 15	Election administrators determine whether nonpartisan primary election and parties' primary elections need to be held	13-10-209 13-14-115
March 23	Deadline for Commissioner of Political Practices to notify Secretary of State and election administrators that candidates have not complied with the provisions of MCA Title 13, Chapter 37 and that the candidates' name should not appear on the official ballot	13-37-126(3)
March 25	Deadline for governing body to decide that a nonpartisan primary must be held, if election administrators determine that the election need not be held	13-14-115
	Earliest date to make application for absentee ballot for primary election (absent military and overseas electors are not subject to an earliest date)	13-13-211
		13-13-212 13-21-210
Starting not earlier than April 12	Election administrators must publish or broadcast notice specifying the day regular late voter registration will close and the availability of late registration (three times in the four weeks preceding close of registration)	13-2-301

April 23	County central committees of parties eligible to nominate candidates in the primary submit to election administrators lists of electors to serve as election judges	13-4-102
April 30	5:00 p.m. - Deadline for write-in candidates to file a Declaration of Intent for the primary election	13-10-211
May 2	Legislative candidates must live in appropriate legislative district (for six months next preceding General Election)	Article V Section 4 MT Const
May 9	Deadline for county governing body to designate the polling place for each precinct and to appoint election judges for each precinct	13-3-105(1) 13-4-101
May 10	Close of regular voter registration (registration cards postmarked by this date and received within 3 days are accepted for regular registration)	13-2-301
	Date by which primary election absentee ballots must be available for voting; electors on the annual absentee elector list are sent ballots automatically	13-13-205 13-13-212
	Election administrators must send ballots to absent military and overseas electors as soon as the ballot is printed and by no later than this date	13-13-205
	Beginning of period during which election administrators publicly test and certify that each type of voting system used in an election is performing properly	13-17-212
Prior to Primary Election	Election judges must obtain a certificate of instruction prior to the primary election in even-numbered years	13-4-203
	NEW - County governing body appoints at least 3 individuals to serve on the county post-election audit committee	13-17-504
May 11	Beginning of late registration	13-2-304
May 29 - June 5	Election administrators must publish or broadcast: a diagram showing the voting system and ballot arrangement (in newspaper only), a statement of the locations where voting systems are on public exhibition, and instructions on how to vote	13-17-203
May 29 - June 6	Election administrators must publish or broadcast locations of the precinct polling places, including accessibility designations for each polling place	13-3-105(2) 13-3-207
June 4	Beginning of period for printing of primary election precinct register	13-2-116
	After 5:00 p.m. - Beginning of period for qualified electors who are prevented from voting at the polls as a result of illness or health emergency, occurring between 5:00 p.m. of the Friday before the election and noon on election day, to request to vote by special absentee ballot	13-13-211(2) 13-13-212(2)
June 7	Noon - Deadline for application to be made for absentee ballot	13-13-211(1)
	Noon - Absentee ballots are issued to late registrants up until this time on the day before election day; late registrants who submit a registration card after noon must return to the election office on election day to receive an absentee ballot	13-2-304

June 8	Primary Nominating Election	13-1-107(1)
	County election administrators or designees must randomly test and certify 5% of each type of voting system (a minimum of one per county), to validate the accuracy of voted paper ballots with the voting system results	44.3.1713(1)(f) ARM
	Noon - End of period for qualified electors who are prevented from voting at the polls as a result of illness or health emergency, occurring between 5:00 p.m. of the Friday before the election and noon on election day, to request to vote by special absentee ballot	13-13-211(2) 13-13-212(2)
	8:00 p.m. - End of late registration (or when all individuals in line at 8:00 p.m. have registered)	13-2-304
June 8 - 14	Period during which the election administrators may open a package containing a precinct register to resolve provisional ballots	13-15-301(2)
June 14	3:00 p.m. - Counting of provisional ballots that are not resolved by the end of election day may not begin prior to this date and time	13-15-107
	3:00 p.m. - Deadline for county election administrators to receive Federal Write- In Absentee Ballots (FWABs) that were sent by absent military and overseas electors by 8:00 p.m. on election day	13-21-206
June 15 - 17	NEW - Period for State Board of Canvassers to randomly choose races and precincts to be audited for post-election audit	13-17-505
June 15 - 21	NEW - Post-election audits conducted by machine-tabulation counties (after notification by State Board of Canvassers of races and precincts chosen)	13-17-506
June 11 - 22 (at least 1 day after post-election audit, if applicable)	County canvass completed - Board declares nominated the individuals having received the highest number of votes cast for each county-certified office and proclaims adoption or rejection of county ballot issues	13-15-401 13-15-405 13-17-506
June 18	Signatures due to county election administrators for ballot issues for certification; deadline for withdrawal of signatures	13-27-301
Within 5 days of official canvass	Deadline for candidates to initiate contest of primary election nomination (after county or state canvass, as applicable)	13-36-102(1)
	Deadline for unsuccessful primary election candidates to apply for a recount (after county or state canvass, as applicable)	13-16-201 13-16-301
	Election administrators send official canvass results to Secretary of State by certified mail	13-15-501 Directive
Within 10 days of official canvass	Deadline for successful primary write-in nominees to file a written Declaration of Acceptance (after county or state canvass, as applicable)	13-10-204
July 6	State canvass must be completed - Board declares nominated the individuals having received the highest number of votes cast for each state-certified office	13-15-502 13-15-507
July 16	County election administrators to file certified ballot issue petitions in the Secretary of State's office	13-27-104
August 9	5:00 p.m. - Deadline for candidates to withdraw general election candidacy	13-10-325
August 19	Earliest date to make application for absentee ballot for general election (absent military and overseas electors are not subject to an earliest date)	13-13-211 13-13-212 13-21-210
	Deadline for Secretary of State to certify names of candidates and ballot issues to election administrators; recommended deadline for election administrators to certify names of local candidates and ballot issues	13-12-201

Starting not earlier than September 6	Election administrators must publish or broadcast notice specifying the day regular voter registrations will close and the availability of late registration (three times in the four weeks preceding close of registration)	13-2-301
September 17	Election administrators must send ballots to absent military and overseas electors as soon as the ballot is printed and by no later than this date	13-13-205
September 24	5:00 p.m. - Deadline for write-in candidates to file a Declaration of Intent for the general election	13-10-211
October 4	Close of regular voter registration (registration cards postmarked by this date and received within 3 days are accepted for regular registration)	13-2-301
	Date by which general election absentee ballots must be available for voting; electors on the annual absentee elector list are sent ballots automatically	13-13-205 13-13-212
	Beginning of period during which election administrators publicly test and certify that each type of voting system used in an election is performing properly	13-17-212
	Deadline for election administrators to mail a voter information pamphlet to each active voter (two or more voters with the same mailing address and same last name may be counted as one voter)	13-27-410(4)
Prior to General Election	NEW - County governing body appoints at least 3 individuals to serve on the county post-election audit committee	13-17-503
October 5	Beginning of late registration	13-2-304
October 23 - 30	Election administrators must publish or broadcast: a diagram showing the voting system and ballot arrangement (in newspaper only), a statement of the locations where voting systems are on public exhibition, and instructions on how to vote	13-17-203
October 23 - 31	Election administrators must publish or broadcast locations of the precinct polling places, including accessibility designations for each polling place	13-3-105(2) 13-3-207
October 29	Beginning of period for printing of general election precinct register	13-2-116
	After 5:00 p.m. - Beginning of period for qualified electors who are prevented from voting at the polls as a result of illness or health emergency, occurring between 5:00 p.m. of the Friday before the election and noon on election day, to request to vote by special absentee ballot	13-13-211(2) 13-13-212(2)
November 1	Noon - Deadline for application to be made for absentee ballot	13-13-211(1)
	Noon - Absentee ballots are issued to late registrants up until this time on the day before election day; late registrants who submit a registration card after noon must return to the election office on election day to receive an absentee ballot	13-2-304

November 2	Federal General Election	13-1-104(1)
	County election administrators or designees must randomly test and certify 5% of each type of voting system (a minimum of one per county), to validate the accuracy of voted paper ballots with the voting system results	44.3.1713(1)(f) ARM
	Noon - End of period for qualified electors who are prevented from voting at the polls as a result of illness or health emergency, occurring between 5:00 p.m. of the Friday before the election and noon on election day, to request to vote by special absentee ballot	13-13-211(2) 13-13-212(2)
	8:00 p.m. - End of late registration (or when all individuals in line at 8:00 p.m. have registered)	13-2-304
November 2 - 8	Period during which the election administrators may open a package containing a precinct register to resolve provisional ballots	13-15-301(2)
November 3 - December 13	Period for election administrators to certify to the Commissioner of Political Practices the names of all elected statewide and state district candidates who have complied with MCA Title 13, Chapter 37 by properly filing all required statements/reports with their county election administrators	13-37-127(1)
	Period for Commissioner of Political Practices to notify Secretary of State of the names of all elected statewide and state district candidates who have complied with MCA Title 13, Chapter 37	13-37-127(2)
	Period for election administrators to certify to Commissioner of Political Practices the names of all county candidates who have complied with MCA Title 13, Chapter 37	13-37-127
	Period for Commissioner of Political Practices to certify to election administrators the names of all elected county candidates who complied with MCA Title 13, Chapter 37 so certificates of election can be issued	13-37-127
November 8	3:00 p.m. - Counting of provisional ballots that are not resolved by the end of election day may not begin prior to this date and time	13-15-107
	3:00 p.m. - Deadline for county election administrators to receive Federal Write-In Absentee Ballots (FWABs) that were sent by absent military and overseas electors by 8 p.m. on election day	13-21-206
November 9 - 11	NEW - Period for State Board of Canvassers to randomly choose races, ballot issue and precincts to be audited for post-election audit	13-17-505
November 9 - 15	NEW - Post-election audits conducted by machine-tabulation counties (after notification by State Board of Canvassers of races, ballot issue & precincts)	13-17-506
November 5 - 16 (at least 1 day after post-election audit, if applicable)	County canvass completed - Board declares elected the individuals having received the highest number of votes cast for each county-certified office and proclaims the adoption or rejection of county ballot issues	13-15-401 13-15-405 13-17-506
Within 5 days of official canvass	Deadline for unsuccessful general election candidates to apply for a recount (after county or state canvass, as applicable)	13-16-201 13-16-301
	Election administrators send official canvass results to Secretary of State by certified mail	13-15-501 Directive
Within 10 days of official canvass	Deadline for successful general write-in candidates to file a written Declaration of Acceptance (after county or state canvass, as applicable)	13-10-204
November 29	State canvass must be completed - Board declares elected the individuals having received the highest number of votes cast for each state-certified office and proclaims the adoption or rejection of state ballot issues	13-15-502 13-15-507
After canvass	Secretary of State certifies 2011 legislative roster	5-2-211

General Information on Elections

Filing for Office:

Pursuant to [13-10-201](#), MCA, in a partisan election, an individual may not file a Declaration for Nomination or a Declaration of Intent for more than one political party. A candidate may not file for more than one public office. (This does not include precinct committeemen and committeewomen candidates.) Individuals cannot file for nonpartisan offices as independent candidates or as political party candidates.

Candidates who file with the Secretary of State (other than independent, non-qualified political party and write-in candidates) can file online at sos.mt.gov/Elections/Filing.

Filing Fees:

Under [13-10-202](#), MCA:

- (1) offices having an annual salary of \$2,500 or less and candidates for the legislature, \$15;
- (2) county offices having an annual salary of more than \$2,500, 0.5% of the total annual salary;
- (3) other offices having an annual salary of more than \$2,500, 1% of the total annual salary;
- (4) offices in which compensation is paid in fees, \$10;
- (5) officers of political parties, presidential electors and officers who receive no salary or fees, no filing fee is required.

Write-in Candidates:

Pursuant to [13-15-206](#), MCA, a write-in vote may only be counted if the oval, box, or other designated voting area on the ballot is marked.

For a primary election, declared write-in candidates for partisan offices file as party candidates or as independents; general election write-in candidates do not file with a political party or independent designation.

Under [13-10-211](#), MCA, if there are declared candidates for a position, a write-in candidate running for an office must file a Declaration of Intent and pay the required filing fee at the time of filing, in order for the candidate's write-in votes to be counted. However, if an election is held and a write-in candidate is qualified for and seeks the office for which the candidate is written in, and no candidate has filed for the office (including any declared write-in candidate), a Declaration of Intent does not have to be filed for the write-in votes to be counted.

Under [13-10-204](#), MCA, in order to accept a primary nomination, a write-in nominee must file a written Declaration of Acceptance; have received at least 5% of the total votes cast for the successful candidate for the same office at the last general election; comply with [13-37-126](#), MCA; and have paid the required filing fee at the time of filing, unless claiming indigency under [13-10-203](#), MCA, or if exempt from filing under [13-10-211\(7\)](#), MCA (in which case the candidate shall pay the filing fee at the time of nomination).

Under [13-15-111](#), MCA, a write-in candidate who receives the most votes in a general election must file a written Declaration of Acceptance; comply with the provisions of [13-37-126](#), MCA; and pay the filing fee if not already required to have paid it at the time of filing, or if claiming indigency comply with [13-10-203](#), MCA.

Term Limits:

For information on term limits, visit sos.mt.gov/Elections/Term_Limits.

Late Registration:

An elector may register or change the elector's voter registration information after the close of regular registration specified in [13-2-301](#), MCA, and vote in the election if the election administrator in the county where the elector resides receives and verifies the elector's voter registration information prior to the close of polls on election day.

A late registrant may vote in an election only if the elector obtains the ballot from and returns it to the location designated by the election administrator, either in person or by mail, subject to applicable deadlines. If an elector has already been sent an absentee ballot for the election, the elector may change the elector's voter registration information only with respect to the next election.

Pursuant to [13-2-304](#), MCA, election administrators close late registration at noon on the day before election day and reopen late registration on election day. Any elector wishing to register after noon on the day before the election may do so by submitting a voter registration application at the election office the day before election day or on election day during polling hours, and appearing at the election office on election day in order to vote.

Absent military and overseas electors are eligible for late registration, although they are not required to appear at the county election office in order to late register.

Opening and Closing of Polling Places:

According to [13-1-106](#), MCA, polls must open from 7 a.m. to 8 p.m., except that polling places having fewer than 400 registered electors must be open from at least noon to 8 p.m. (or until all registered electors in any precinct have voted).

Provisional Ballots:

Pursuant to [13-15-107](#), MCA, counting of provisional ballots that are not resolved by the end of election day may not begin prior to 3:00 p.m. the sixth day after the election. Proof of registration or required identification must be provided to the county election office by 5:00 p.m. the day after the election, or mailed to the county election office by the day after the election. Election officials or election workers shall notify each elector who cast a provisional ballot, by the most expedient means possible, whether or not the elector's ballot was counted, and the reason(s) why or why not.

Commissioner of Political Practices:

Statement of Candidate Form must be filed with the Commissioner of Political Practices within 5 days of filing for office. This form may be found at politicalpractices.mt.gov.

Information for filing reports of campaign contributions and expenditures is provided by the Commissioner of Political Practices. You may contact the Commissioner's office at 406-444-2942.

Voters:

Contact your [County Election Administrator](#) at your county election office. Contact the Secretary of State at 1-888-884-8683 (VOTE). Mailing address: PO Box 202801, Helena, MT 59620-2801.