

Checks and Balances in Montana: Important Dates for the 2024 November Election

Montana's elections are governed by a number of laws and regulations that ensure there are checks and balances throughout the process. Bipartisan teams of election workers at the local, county, and state level go through a meticulous list of steps to verify the count and check for accuracy.

Below we detail the dates each of these steps occur to offer greater transparency about the rigorous efforts underway to deliver a free and fair election in Montana. For greater detail about verifying mail ballot applications and ballots, as well as the post-election process, please visit our <u>website</u>.

Importantly, this is nonpartisan educational research intended for 501(c)(3)-compliant purposes only. It is *not* to be used for any partisan, political, or electioneering activities by any organization.

Absentee Voting

- <u>Tuesday, September 20</u> Deadline for counties to send mail ballots to military and overseas (UOCAVA) voters with accepted applications.
- Friday, October 11 Counties must begin sending ballots to absentee voters.
- <u>As ballots are received</u> Election administrators verify the signatures on returned absentee ballot envelopes. Voters whose ballot envelopes have been flagged as defective are notified and given an opportunity to cure the defect.
- <u>Thursday, October 31</u> Counties with 8,000 or more registered voters or 5,000 or more absentee voters may begin processing absentee ballots. State law prohibits the publication of results until after polls close on Election Day.
- November 1 Emergency voting for voters who are prevented from voting at the polls as a result of illness or health emergency begins at 5 p.m and runs through Election Day.
- Monday, November 4 Absentee ballot applications must be received by noon to be accepted.
- Monday, November 4 Absentee ballots must be issued by noon.
- <u>Tuesday, November 5</u> Election Day Absentee ballots must be *received* by 8 p.m.
- Tuesday, November 5 Election Day Voters must cure rejected absentee ballots by

8 p.m. in order for the ballot to be treated as a regular (not provisional) ballot.¹

• <u>Wednesday, November 6</u> - Absentee ballots not cured by the previous deadline are treated as provisional ballots and must be verified by 5 p.m. in order to be counted.

In-Person Voting (Early & Election Day)

- <u>Monday, October 7</u> Regular voter registration ends. Registration forms postmarked by this date and received within 3 days are accepted for regular registration
- Monday, October 7 Counties must make absentee ballots available for early in-person voting.
- <u>Tuesday, October 8</u> Late voter registration begins.
- Monday, November 4 Late voter registration ends at noon.
- Monday, November 4 In-person early voting ends at noon.
- Tuesday, November 5 Election Day
 - **7 a.m.** Polling places open. Polling places with less than 400 registered voters may open after 7 a.m. but must open before noon.
 - While polls are open Election Day registration is available to all eligible voters.
 - **8:00 p.m.** Polls close. Late voter registration ends.

Counting, Canvassing, & Certification

- <u>Thursday, October 31</u> Counties with 8,000 or more registered voters or 5,000 or more absentee voters may begin processing absentee ballots. State law prohibits the publication of results until after polls close on Election Day.
- Monday, November 4 All Counties may begin processing absentee ballots and automatic tabulation using a vote counting machine may begin.
- <u>Tuesday, November 5</u> Election Day Tabulation using a manual count may begin.
- **Monday, <u>November 11</u>** Counting begins after 3 p.m. of provisional ballots that were not resolved on Election Day and electronically submitted UOCAVA ballots that were sent by 8:00 p.m. on Election Day and received by 5 p.m. the day after the election.
- <u>Wednesday, November 13</u> State board of canvassers meet to randomly choose races, ballot issues, and precincts to be audited for the post-election audit.
- Wednesday, November 13 Monday, November 18 Post-election audits conducted.

¹ "Curing" is the process by which a voter: 1) receives notice from election officials of a discrepancy on the absentee ballot envelope; and 2) has an opportunity to correct the issue and have the ballot counted. In Montana, a voter may have an opportunity to cure an absentee ballot envelope if the voter failed to sign the ballot envelope or if the signature on the envelope does not match the voter's signature on record.

- <u>Tuesday, November 19</u> Deadline to complete the county canvass.²
- <u>As soon as county canvass is complete</u> The board of county canvassers certifies³ the election results and sends the official canvass of election results to the Secretary of State by certified mail.
- <u>Tuesday, November 26</u> Meeting of the State Canvass Board to certify the election and send results to the Governor.
- <u>Wednesday, December 11</u> Deadline for the Governor to issue a certification of ascertainment of the state's presidential electors for the certification to be treated as conclusive at the January 6 joint session of Congress to certify the presidential election.
- <u>Tuesday, December 17</u> Presidential electors meet at the state capitol to cast their votes.

Recounts & Election Contests

- <u>Within 5 days of official canvass</u> Deadline for unsuccessful general election candidates to apply for a recount after county or state canvass.
- <u>Within 5 days of an application for a recount</u> Deadline for the appropriate judge to hear the recount application and determine its sufficiency. If the judge determines a recount application is sufficient, the appropriate county must conduct the recount within five days.
- Within 5 days of certification Deadline to contest an election.
- <u>Wednesday, November 5, 2025</u> Deadline to begin any legal action to annul an election or remove a candidate from office.

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² "Canvassing" is the process by which the appropriate authority checks the results from each voting location and ballot counting location for accuracy and compliance with statutory procedures. After these checks, the results from each location are compiled to create results for each race on the ballot. In Montana, the county canvass is typically conducted by the board of county canvassers. The state canvass is conducted by the state auditor, attorney general, and superintendent of public instruction..

³ "Certification" is the process by which winners in elections are officially declared following the completion of the canvass. For local races that can be determined following the county canvass, certification will occur after the county canvass. For federal, state, and multicounty races that must be determined by the state canvass, certification will generally occur immediately following the completion of the state canvass.