

Agency Bill Draft Requests for SAVA's Consideration – Aug. 23, 2016

Agency: Secretary of State

Point of Contact: Linda McCulloch

Priority #	Short Title	Summary/Rationale	Statutes to be Amended
	Authorize student election judges	<p>Allow students who are 16 and 17 years of age to serve as election judges if they have the written consent of a parent or legal guardian and the written consent from the individual's school principal if a student of a public or private school</p> <p>To help with a shortage of election judges and provide civic experience to Montana students.</p>	13-1-101, 13-4-101, 13-4-102, 13-4-107, 13-13-226, 13-15-112, 20-20-109, 20-20-203
	Authorize on-line voter registration for citizens with Montana driver's licenses/IDs	<p>Allow electors with Montana driver's licenses/IDs to register to vote on-line</p> <p>To save time and money while increasing the accuracy of Montana's voter lists.</p>	13-2-109, 13-2-110, 13-2-205
	General clean-up of election laws	Clean-up of election statutes that is offered every two years based on an on-going list maintained by the Elections and Government Services Division	13-1-116, 13-2-220, 13-2-512, 13-2-513, 13-2-601 through 603, 13-10-404, 13-21-205,
	Allow automatic voter registration for persons applying for a driver's license	This would add eligible voters to the rolls, save money, and increase accuracy while protecting the integrity of elections.	New
	Transferring the duties for producing jury lists to the Office of the Court Administrator At the request of the Secretary of State and the Judicial Branch	<p>Transferring the duties for producing jury lists from the Secretary of State to the Office of the Court Administrator. The Supreme Court Administrator has agreed to move this project to the Judicial Branch with an effective date of October 2017 which allows the Court Administrator to purchase the necessary software and work with SOS for one more year so that the project can transition with the 2018 jury list.</p> <p>This duty more accurately aligns with the Court Administrator's statutory duties.</p>	3-15-402, 3-15-403, 61-5-127
	General clean-up of business services statutes	<p>Amend three statutes for consistency and clarification of statutory requirements:</p> <p>Limited Partnerships – amend 35-12-1201(6) – appoint and maintain an</p>	30-13-204, 30-13-213, 35-12-1201

	<p>agent for service of process as required by 35-7-102 or deliver for filing a statement of change under 35-7-108 within 30 days after a change has occurred in the name or address of agent</p> <p>Assumed Business Names – amend 30-13-204 to state registration of assumed business name remains in effect for five years or until canceled</p> <p>Amend 30-13-213 to eliminate the word "affidavit" with regard to an assumed business name application</p> <p>Allow SOS to provide e-mail notification to business services customers and require business owners to retain a valid e-mail address. This will allow the SOS to send notices to business owners through an e-mail generated by the SOS electronic filing system (SIMS).</p> <p>Re-enact 35-8-911 regarding involuntary dissolution of domestic limited liability company. This statute was inadvertently repealed in 2007 as part of the Model Registered Agent's Act. This statute needs to be re-enacted because it is the statute that requires SOS to send a notice of intent to dissolve a domestic LLC.</p> <p>Since 2007, the MAR and ARM have been available electronically and readily accessible on the Secretary of State's website. The electronic versions of the MAR and ARM are superior to the hard copy as they are searchable and readily accessible via mobile devices. Electronic information can be updated quicker and less expensively than the hard copy.</p> <p>Clarify that SOS is not required to provide hard copies of the MAR and ARM free of charge to any person or entity. Since 1993, SOS has operated as an enterprise account, which means it operates on the fees it charges for services provided. The ARM Bureau generally operates in a notable deficit because it does not generate enough funds to cover its operational costs.</p> <p>To ensure that existing notaries demonstrate a solid understanding of the current notary statutes and associated administrative rules.</p>	<p>35-1-113, 35-2-114, 35-4-411, 35-6-104, 35-7-113, 35-8-913, 35-8-1001, 35-8-1012, 35-12-1313</p> <p>Re-enactment of 35-8-911 (will need to be renumbered)</p>
<p>Eliminate the requirement that the Montana Administrative Register (MAR) and the Administrative Rules of Montana (ARM) be published in hard copy form and make the printing of MAR and ARM in hard copy form optional</p> <p>Eliminate the requirement that certain entities are provided with hard copies of the MAR and ARM free of charge</p>		<p>2-4-312, 2-4-313</p>
<p>Require existing notaries to pass a notary examination</p>		<p>1-5-620</p>