

Secretary of State

Agency Overview - Highlights

August 2015

For the State Administration and Veterans' Affairs Interim Committee

Secretary of State: Linda McCulloch (D), statewide elected official, term limited, 2nd 4-year term expires January 2017. Contact info: 444-4195, secretary@mt.gov

Website: <http://sos.mt.gov/>

Agency Responsibilities:

Elections

- The secretary of state is the chief election officer of the state.
- Maintains uniformity in the application, operation, and interpretation of the election laws and in the use of voting systems.
- Provides advise and training.
- Maintains public election records.

Records management

- Maintains official records of the executive branch and of the acts of the legislature and keep the great seal.
- Attests to the governor's signature on executive actions.

Business services

- Files and maintains records of secured financial transactions, such as liens.
- Reviews, maintains, and distributes public-interest records of businesses and nonprofit organizations.

Other

- Files administrative rules adopted by state agencies.
- Serves on the state Board of Land Commissioners and the Board of Examiners.
- Serves on the Capital Finance Advisory Council.
- Commissions notaries public.

Programs, FTE, and Budgeted Funding - 2017 Biennium:

Source: Legislative Fiscal Division

Programs	FTE FY 2016	General Fund	State Special	Federal Revenue	Proprietary	Other	Total Funding	% General Fund
Business & Government Services (covers all divisions)	56.25	\$0	\$0	\$210,000	\$12,306,103	\$0	\$12,516,103	0.00%

Compiled by Sheri Scurr, Research Analyst
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Budget Summary

The Secretary of State's Office (SOS) is mostly funded through proprietary funds, which are not included in HB 2. These proprietary funds are derived from fees charged by the office for services, document sales, etc., as authorized in statute. In addition to these proprietary funds, the office received a \$210,000 appropriation to allow the Secretary of State's Office to spend interest generated from Federal Help American Vote Act (HAVA) funds, which were provided to states to help with HAVA regulations and compliance.

Statutory Advisory Councils:

- None

Administratively Attached Agencies:

- Commissioner of Political Practices
- Board of Canvassers

Most Recent Legislative Audits:

- [Financial compliance for two fiscal years ending June 30, 2014](#). No recommendations.

Agency Bills Passed During 2015 Session:

- HB 69 - update training requirements for election administrators
- SB 35 - eliminate certificate of existence requirements for out-of-state businesses
- SB 36 - revise foreign limited partnership filing laws
- SB 41 - revise business services laws

Agency Bills that Failed During 2013 Session:

- HB 18 - authorize student election judges
- HB 48 - establish online voter registration
- HB 55 - provide that fees charged by SOS are not refundable
- HB 58 - generally revise election laws
- HB 70 - revise vote by mail laws
- SB 40 - revise veto poll laws
- SB 73 - revise U.S. Senate vacancy laws

Committee Areas of Interest 2013-2014 Interim:

- Study on combining primary and school elections ([SJR 14](#))
- General revision to standardize and simplify statutes concerning administrative dates and deadlines for special district and local elections ([HB 84](#))

Hot Topics of 2015 Session:

- See attached staff report listing elections legislation introduced during 2015 Session

Statutorily Required Reports:

- Uniform Commercial Code Secured Transactions Report (amended 2013 Session to no longer be required unless there are changes to the relevant uniform code rules)

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ATTACHMENTS

Election Bills: 2015 Session
SOS Organizational Chart
SOS Phone Directory