



# Montana Democrats File Frivolous Lawsuit to Stop Election Integrity Bills

## OVERVIEW

On April 19, 2021, Montana Governor Greg Gianforte signed into law **HB 176** (requiring voters to register no later than noon the day before an election) and **SB 169** (allowing voters to use a non-government-issued photo ID to vote, so long as they also provide a document that shows their name and current address, such as a current utility bill, bank statement, paycheck, government check, or other government document).

## KEY POINTS

### A Common Pattern Emerges

Within hours of the governor signing, the same Democratic Party-aligned law firm that filed lawsuits earlier this year following the passage of election integrity bills in Georgia and Iowa **filed yet another suit, this time in Montana** on behalf of the Montana Democratic Party.

### The Lawsuit's Unsubstantiated & Meritless Claims

The lawsuit seeks a court order forbidding the Secretary of State from enforcing the new laws, relying on two meritless claims.

**1**

**Both laws violate the Equal Protection Clause of the Montana Constitution** (Article II, Section 4) because they supposedly impose "heightened and unequal burdens on the right to vote, particularly for Montana's youngest voters."

**2**

**Both laws violate Article II, Section 13 of the Montana Constitution** because they place an undue burden on the right to vote, particularly for "students, the elderly, the disabled, and indigenous communities."

### Constitutional Duty

In passing these measures, **the Montana Legislature was simply carrying out its constitutional duty** to "provide by law the requirements for residence, registration, absentee voting, and administration of elections" and to "insure the purity of elections and guard against abuses of the electoral process."

## THE BOTTOM LINE

The lawsuit is likely to fail because neither of the new laws "impermissibly interfere" with the "exercise of a fundamental right." **The Plaintiff has provided zero evidence of actual interference or discrimination, relying instead on a dubious presumption that any change at all in the process will inhibit voting.** Montana voters should expect election participation to rise with the addition of these commonsense reforms that promote free and fair elections.