

PD01 - REVISING LAWS ON ACCESSIBILITY OF ELECTIONS

OPTIONS - DEFINITION OF "DISABILITY"

Bill Section	Purpose	Options
<p>Section 1 13-1-101(12) Definitions</p>	<p>Move definition of "disability" from <b>13-3-202, Accessibility of Polling Places</b>; to the general definition section so it can apply to all of Title 13.</p> <p>See Attachment A for the extracts of the statutes where the term is used.</p>	<p><b>Current 13-3-202 - definition:</b> (2) "Disability" means a temporary or permanent physical impairment such as:              (a) impaired vision;              (b) impaired hearing; or              (c) impaired mobility. Individuals having impaired mobility include those who require use of a wheelchair and those who are ambulatory but are physically impaired because of age, disability, or disease.</p> <p><b>Options:</b></p> <p>A. Use the language in the current PD01 draft, which is the definition by the ADA National Network in their glossary of ADA terms:              "A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment."          (See Attachment B for the actual ADA section defining disability.)</p> <p>B. "Disability" means a temporary or permanent physical or mental impairment or limitation.</p> <p>C. Use the current 13-3-202 definition but add the words "or mental" in front of "impairment".</p> <p>D. For discussion, this is one suggestion by Disability Rights Montana staff:          "Disability" means a temporary or permanent physical impairment such as:              (a) impaired vision;              (b) impaired hearing;              (c) impaired mobility. Individuals having impaired mobility include those who require use of a wheelchair and those who are ambulatory but are physically impaired because of age, disability, or disease; or              (d) impaired mental or physical functioning that makes it difficult for the person to participate in the process of voting.</p>