



Montana Legislative Services Division

Legal Services Office

PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

**TO:** State Administration and Veterans' Affairs Interim Committee

**FROM:** Andria Hardin

**DATE:** January 5, 2024

**RE:** Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 44-2-272

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION** (e.g., substantive/interpretive/emergency/temporary): Substantive

**SUBJECT:** Guidelines for Polling Place Accessibility

**NOTICE DESCRIPTION** (e.g., proposal notice/adoption notice): Notice of Public Hearing on Proposed Amendment

**SUMMARY OF RULE(S):** This rule implements 13-3-205, MCA, requiring that accessibility to polling places comply with the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, et seq. and that forms prescribed by the Secretary of State be submitted to demonstrate compliance. The current rule contains an incorrect reference to the rule regarding the Secretary of State's prescribed forms. The rule reference is being corrected in this amendment.

**NOTES:** A public hearing will be held on January 16, 2024 at 2:30 p.m. in the Secretary of State's Office conference room, Room 260, State Capitol, Helena, Montana. The public comment period ends on January 19, 2024 at 5:00 p.m.

**STAFF COMMENT:** None.

**FULL TEXT OF NOTICE:** The full text of the proposal notice may be found online at [https://rules.mt.gov/gateway/Cycle\\_Home.asp?CID=3773](https://rules.mt.gov/gateway/Cycle_Home.asp?CID=3773)