



ADMINISTRATIVE RULES OF MONTANA



44.3.102 ROLE OF SECRETARY OF STATE

- (1) The Secretary of State is empowered under the Voting Accessibility Act, 13-1-202, MCA, and these rules to:
 - (a) establish guidelines that define and determine accessibility at the polling place;
 - (b) prescribe the forms and materials necessary to ensure uniformity in the surveying of polling places;
 - (c) determine what constitutes an emergency that allows an exemption from accessibility status;
 - (d) grant exemptions to the requirement that a polling place shall be accessible to the elderly and individuals with disabilities;
 - (e) establish procedures to ensure that any individual with a disability or elderly voter assigned to an inaccessible polling place will be provided with an alternative means for casting a ballot on election day;
 - (f) provide public notice, calculated to reach individuals with disabilities or elderly electors in a timely manner, of the:
 - (i) availability of aids under the Voting Accessibility Act;
 - (ii) assistance under section 208 of the Voting Rights Act of 1965 (42 U.S.C. 1973 aa-6); and
 - (iii) procedures for voting by absentee ballot; and
 - (g) report to the applicable federal agency, in a manner to be determined by the agency:
 - (i) the number of accessible polling places in the state;
 - (ii) the number of inaccessible polling places; and
 - (iii) the reasons for each instance of inaccessibility.
- (2) These are the rules adopted to establish and maintain uniformity in the implementation of the Voting Accessibility Act.

Authorizing statute(s): This rule is advisory only, but may be considered a correct interpretation of the law.

13-3-205, MCA

Implementing statute(s): 13-3-205, MCA

History: NEW, 1986 MAR p. 462, Eff. 3/28/86; AMD, 2008 MAR p. 1329, Eff. 6/27/08.