



ADMINISTRATIVE RULES OF MONTANA



24.8.403 DISMISSAL BY THE HUMAN RIGHTS BUREAU

- (1) The Human Rights Bureau shall conclude the department's administrative proceedings and issue a notice of dismissal and right to sue if:
 - (a) the Human Rights Bureau determines that it lacks jurisdiction or the statutory authority to investigate the allegations of the complaint; or
 - (b) the Human Rights Bureau determines that the allegations of the complaint are not supported by a preponderance of the evidence.
- (2) A complaint may be dismissed prior to investigation if the charging party does not allege facts which, at a minimum, constitute a short and plain statement of the claim showing that the charging party is entitled to relief under Title 49, chapters 2 and 3, MCA, and has not timely amended the complaint to state a valid claim.

Authorizing statute(s): 49-2-204, 49-3-106, MCA

Implementing statute(s): 49-2-504, 49-2-511, 49-3-315, MCA

History: NEW, 2002 MAR p. 2908, Eff. 10/18/02; AMD, 2008 MAR p. 2636, Eff. 12/25/08.