



MONTANA
ADMINISTRATIVE
REGISTER



DEPARTMENT OF JUSTICE

NOTICE OF ADOPTION

MAR NOTICE NO. 2026-832.2

Summary

Amendment of ARM 23.12.107 pertaining to access to criminal history information provided by the department to qualified entities

Previous Notice(s) and Hearing Information

On August 7, 2026, the Department of Justice published MAR Notice No. 2026-832.1 pertaining to the proposed amendment of the above-stated rule in the 2026 Montana Administrative Register, Issue Number 15. No hearing was scheduled or requested.

Final Rulemaking Action – Effective September 26, 2026

AMEND AS PROPOSED

The agency has amended the following rule as proposed:

23.12.107 ACCESS TO CRIMINAL HISTORY INFORMATION PROVIDED BY THE DEPARTMENT TO QUALIFIED ENTITIES

Statement of Reasons

The agency has considered the comments and testimony received. A summary of the comments received, and the agency's responses are as follows:

Comment 1: A commenter supports the department's proposed amendments to ARM 23.12.107. The commenter said that this rule change is necessary to allow schools to obtain fingerprint background checks for work-based learning providers, vendors, and contractors

(including bus drivers, for example) who have unsupervised contact with students. The commenter said the amended rule is an essential component to ensuring Montana kids stay safe while in school-related activities.

Response 1: The department appreciates and agrees with the comment that vetting people hired in trusted positions via national criminal history checks is an essential component to ensuring the safety of children.

Contact

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Rule Reviewer

Chad Vanisko

Approval

Christian Corrigan, Solicitor General