

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES
OF THE STATE OF MONTANA

In the matter of the repeal of a) NOTICE OF REPEAL OF
Temporary Emergency Rule) TEMPORARY EMERGENCY RULE
pertaining to changing the)
identification of sex on birth)
certificates)

TO: All Concerned Persons

1. On May 23, 2022, the department adopted, and on June 10, 2022, the department published, MAR Notice No. 37-1001, notice of the temporary emergency adoption of the above-stated rule at page 915 of the 2022 Montana Administrative Register, Issue Number 11, pertaining to changing the identification of sex on birth certificates.

2. Following adoption of the above-stated temporary emergency rule, the department initiated ordinary rulemaking pertaining to changing the identification of sex on birth certificates. See MAR Notice No. 37-1002. Following a public hearing and receipt of written public comment, the department has adopted a permanent rule governing the process for changing identification of sex on birth certificates. *Notice of Amendment*, MAR Notice No. 37-1002 (published September 9, 2022). The permanent rule supplants the need for the above-stated temporary emergency rule.

3. The repeal of Temporary Emergency Rule I is effective September 10, 2022.

4. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ ROBERT LISHMAN
Robert Lishman
Rule Reviewer

/s/ CHARLES T. BRERETON
Charles T. Brereton, Director
Department of Public Health and Human
Services

Certified to the Secretary of State August 30, 2022.