

[Not edited]

SENATE JUDICIARY

EXHIBIT NO. 2

DATE 1/23/09

BILL NO. SB158

Amendments to Senate Bill No. 158  
1st Reading Copy

Requested by Senator Gregory Barkus

For the Senate Judiciary Committee

Prepared by Valencia Lane  
January 19, 2009 (8:44am)

1. Title, line 6 through line 8.  
**Following:** "DISTRICTS" on line 6  
**Strike:** remainder of line 6 through "JUDGES" on line 8  
**Insert:** "TO BE ELECTED"
2. Title, line 9.  
**Strike:** "AN IMMEDIATE"  
**Insert:** "A DELAYED"
3. Page 1, line 22.  
**Strike:** "Provisional appointment -- election."  
**Insert:** "Election of judges."
4. Page 1, line 22 through line 26.  
**Following:** "election." on line 22  
**Strike:** remainder of line 22 through "(2)" on line 26
5. Page 1, line 26.  
**Following:** "for the"  
**Insert:** "1st,"  
**Following:** "8th,"  
**Insert:** "11th,"
6. Page 1, line 29.  
**Strike:** "on passage and approval"  
**Insert:** "January 1, 2010"

- END -

SENATE BILL NO. 158

INTRODUCED BY G. BARKUS, D. MCGEE

BY REQUEST OF THE SUPREME COURT

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE NUMBER OF DISTRICT COURT JUDGES; PROVIDING FOR ADDITIONAL JUDGES IN THE 1ST, 8TH, 11TH, 13TH, AND 18TH JUDICIAL DISTRICTS; PROVIDING FOR THE PROVISIONAL APPOINTMENT OF TWO NEW JUDGES AND THE ELECTION OF OTHER NEW JUDGES AT THE NOVEMBER 2010 GENERAL ELECTION; AMENDING SECTION 3-5-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 3-5-102, MCA, is amended to read:

"3-5-102. Number of judges. In each judicial district, there must be the following number of judges of the district court:

- (1) in the 2nd, 7th, 16th, 20th, and 21st districts, two judges each;
(2) in the 1st, 4th, 11th, and 18th districts, three four judges each;
(3) in the 4th and 8th districts district, four five judges;
(4) in the 13th district, five seven judges;
(5) in all other districts, one judge each."

NEW SECTION. Section 2. Election of judges. Provisional appointment election. (1) One additional judge for the 1st and 11th judicial districts must be appointed pursuant to the provisions of Title 3, chapter 1, part 10, to take office on January 4, 2010. There must be an election for each office at the general election to be held in November 2010 for a 6-year term to begin January 3, 2011.

(2) The additional judges for the 8th, 13th, and 18th judicial districts must be elected at the general election to be held in November 2010 for a 6-year term to begin January 3, 2011.

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval. JANUARY 1, 2010.

- END -

