

## 1 SENATE BILL NO. 325

2 INTRODUCED BY J. BALYEAT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN  
5 AMENDMENT TO ARTICLE IV, SECTION 5, OF THE MONTANA CONSTITUTION TO PROVIDE THAT IN A  
6 GENERAL ELECTION, A MAJORITY OF VOTES IS NEEDED IN ORDER TO BE ELECTED; AND PROVIDING  
7 AN IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Article IV, section 5, of The Constitution of the State of Montana is amended to read:

12 "**Section 5. Result of elections.** ~~In~~ (1) Except as provided in subsection (2), in all elections held by the  
13 people, the person or persons receiving the largest number of votes shall be declared elected.

14 (2) In a general election, a majority of votes is needed in order to be elected."

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16 NEW SECTION. **Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal  
17 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote  
18 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

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20 NEW SECTION. **Section 3. Effective date.** This amendment is effective on approval by the electorate.

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22 NEW SECTION. **Section 4. Submission to electorate.** [This act] shall be submitted to the qualified  
23 electors of Montana at the general election to be held in November 2012 by printing on the ballot the full title of  
24 [this act] and the following:

25 [] FOR providing that in a general election, a majority of votes is needed in order to be elected.

26 [] AGAINST providing that in a general election, a majority of votes is needed in order to be  
27 elected.

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- END -