

## 1 HOUSE BILL NO. 430

2 INTRODUCED BY S. FITZPATRICK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INTERIM JUDICIAL REDISTRICTING  
5 COMMISSION; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE AND A  
6 TERMINATION DATE."

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

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10 NEW SECTION. **Section 1. Judicial redistricting commission.** (1) There is a judicial redistricting  
11 commission. The commission consists of the following seven members:

12 (a) a senator appointed by the president of the senate;

13 (b) a representative who is not from the same political party as the senator appointed in (1)(a) appointed  
14 by the speaker of the house;

15 (c) two district court judges appointed by the chief justice of the supreme court;

16 (d) a district court clerk appointed by the Montana association of clerks of district court;

17 (e) a county commissioner appointed by the Montana association of counties; and

18 (f) a member of the state bar of Montana appointed by the president of the state bar of Montana.

19 (2) The commission shall study whether judicial redistricting is necessary as determined by the following  
20 factors:

21 (a) the population of the judicial districts as determined by the latest figures prepared and issued by the  
22 United States census bureau;

23 (b) each judicial district's weighted caseload as determined by judicial workload studies;

24 (c) the relative proportions of civil, criminal, juvenile, and family law cases in each judicial district;

25 (d) the extent to which special masters, alternative dispute resolution techniques, and other measures  
26 have been used in the judicial districts;

27 (e) the distances in highway miles between county seats in existing judicial districts and any judicial  
28 districts that may be proposed by the commission;

29 (f) the impact on counties of any changes proposed in the judicial districts; and

30 (g) any other factors that the commission considers significant to the determination of whether the state's

1 judicial districts should be redistricted.

2 (3) The commission shall report the results of its study to the 65th regular session of the legislature. If  
3 the commission determines that redistricting is necessary based on the factors provided in subsection (2), the  
4 commission shall recommend legislation to redistrict the state's judicial districts for introduction in the 65th regular  
5 session of the legislature.

6 (4) Commission members appointed under subsection (1) shall be appointed within 30 days of [the  
7 effective date of this act]. If a vacancy occurs, a new member must be selected in the same manner as the  
8 original appointment. Commission member terms expire June 30, 2017.

9 (5) (a) A member of the commission who is not a legislator or an employee of the state or a political  
10 subdivision of the state is eligible to be reimbursed and compensated as provided in 2-15-124(7).

11 (b) A member of the commission who is not a legislator but is an employee of the state or a political  
12 subdivision of the state is not entitled to compensation but is entitled to be reimbursed for expenses as provided  
13 in 2-18-501 through 2-18-503.

14 (c) A legislator who is a member of the commission is eligible to be compensated and reimbursed as  
15 provided in 5-2-302.

16 (6) At the commission's first meeting, a majority of commission members shall select a presiding officer.

17 (7) The legislative services division shall provide staff assistance to the judicial redistricting commission.

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19 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$20,170 from the general fund to the  
20 legislative services division for the biennium beginning July 1, 2015, to support the commission provided for in  
21 [section 1].

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23 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2015.

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25 **NEW SECTION. Section 4. Termination.** [This act] terminates June 30, 2017.

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