

HOUSE BILL NO. 866

INTRODUCED BY B. LER, C. HINKLE

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V, SECTION 14, OF THE MONTANA CONSTITUTION TO REVISE THE SIZE AND STRUCTURE OF THE MONTANA DISTRICTING AND APPORTIONMENT COMMISSION; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Article V, section 14, of The Constitution of the State of Montana is amended to read:

"Section 14. Districting and apportionment. (1) The state shall be divided into as many districts as there are members of the house, and each district shall elect one representative. Each senate district shall be composed of two adjoining house districts, and shall elect one senator. Each district shall consist of compact and contiguous territory. All districts shall be as nearly equal in population as is practicable.

(2) (a) In the legislative session following ratification of this constitution and thereafter in each session preceding each federal population census, a commission of five four citizens, none of whom may be public officials, shall be selected to prepare a plan for redistricting and reapportioning the state into legislative districts and a plan for redistricting the state into congressional districts. The majority and minority leaders of each house shall each designate one commissioner. ~~Within 20 days after their designation, the four commissioners shall select the fifth member, who shall serve as chairman of the commission. If the four members fail to select the fifth member within the time prescribed, a majority of the supreme court shall select him.~~

(b) The votes of each member must be weighted by a percentage equivalent to the votes cast in the general election preceding the commissioners' appointment for the gubernatorial candidate of the appointee's party.

(3) Within 90 days after the official final decennial census figures are available, the commission shall file its final plan for congressional districts with the secretary of state and it shall become law.

1 (4) The commission shall submit its plan for legislative districts to the legislature at the first regular  
2 session after its appointment or after the census figures are available. Within 30 days after submission, the  
3 legislature shall return the plan to the commission with its recommendations. Within 30 days thereafter, the  
4 commission shall file its final plan for legislative districts with the secretary of state and it shall become law.

5 (5) Upon filing both plans, the commission is then dissolved."  
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7 **NEW SECTION. Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal  
8 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote  
9 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.  
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11 **NEW SECTION. Section 3. Effective date.** [This act] is effective on approval by the electorate.  
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13 **NEW SECTION. Section 4. Submission to electorate.** [This act] shall be submitted to the qualified  
14 electors of Montana at the general election to be held in November 2024 by printing on the ballot the full title of  
15 [this act] and the following:

16  YES on Constitutional Amendment \_\_\_\_.

17  NO on Constitutional Amendment \_\_\_\_.

18 - END -