



Home • News • Subscribe • Links • Contact Us •



Search

GO

Administrative Rules

Business Services

Elections & Government

Notary

Records & Information Management

Voter Resources

[Register to Vote](#)
[Registration Status/Polling Place](#)
[Election Calendar](#)
[Voting by Absentee Ballot](#)
[Military and Overseas Voters](#)
[Voters with Disabilities](#)
[Serve as an Election Judge](#)
[Frequently Asked Questions](#)

Candidate Resources

[File for Office](#)
[Offices on the Ballot](#)
[Candidate Calendar](#)
[Campaign Finance](#)

Ballot Measures

[2012 Proposed Ballot Measures](#)
[Past Ballot Measures](#)
[Forms and Guidelines](#)
[Voter Information Pamphlet](#)

Results and Statistics

[Official Election Results](#)
[Archived Election Results](#)
[Voter Turnout](#)
[Voter Registration by County](#)

Additional Resources

[Election Laws and Rules](#)
[Qualified Political Parties](#)
[Term Limits](#)
[Legislative Information](#)
[District Maps](#)
[Current Roster](#)
[Montana Constitution](#)
[Order the Centralized Voter File](#)
[County Election Administrators](#)

Forms

For Elections Officials

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Lisa Kimmet, Deputy

Proposed 2012 Ballot Issues

A citizen proposed ballot issue can only appear on the 2012 general election ballot once the proposed language has fulfilled three requirements.

- The language must be reviewed by Montana's Legislative Services Division.
- The Montana Attorney General must conduct a legal review.
- After the review process is complete, and the sponsor has been notified by the Secretary of State of the approval or rejection of the ballot issue, the sponsor must collect signatures from qualified voters in Montana.

Initiative or referendum for the ballot - Signatures must be obtained from 5 percent of the total number of qualified voters in Montana, including 5 percent of the voters in each of 34 legislative house districts (a total of 24,337 signatures for the 2012 ballot).

- To suspend an act passed by the 2011 legislature, signatures must be obtained from 15 percent of the total number of qualified electors (as defined in [Article III, Section 7](#) of the Montana Constitution) in each of at least 51 legislative representative districts.

Constitutional amendment by initiative - Signatures must be obtained from 10 percent of the total number of qualified voters in Montana, including 10 percent of the voters in each of 40 legislative house districts (a total of 48,674 signatures for the 2012 ballot).

If you observe and have concerns about questionable signature gathering, you may file a [complaint](#) with the Secretary of State, who will forward each complaint to the appropriate county official. See signature gathering information at http://sos.mt.gov/Elections/Ballot_Issues/index.asp.

The following legislative referendum will appear on the June 5, 2012 primary election ballot:

LR 119 (SB 268) (Status current as of 5/27/2010)
Subject: Referendum to require election of supreme court justices from districts.
Type: Legislative Referendum
Status: Legislature referred SB 268 to the 2012 Primary Election Ballot.

The following legislative referenda will appear on the November 6, 2012 general election ballot:

LR 120 (HB 627) (Status current as of 9/15/2011)
Subject: Referendum to revise parental notice of abortion and judicial bypass.
Type: Legislative Referendum
Status: Legislature referred HB 627 to the 2012 General Election Ballot.

LR 121 (HB 638) (Status current as
Subject: Referendum to require proo

Legislative Council Meeting
September 15, 2011

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Type: Legislative Referendum
Status: Legislature referred HB 638 to the 2012 General Election Ballot.

LR 122 (SB 418) (Status current as of 9/15/2011)
Subject: Referendum to prohibit health insurance purchase requirement .
Type: Legislative Referendum
Status: Legislature referred SB 418 to the 2012 General Election Ballot.

LR 123 (SB 426) (Status current as of 9/15/2011)
Subject: Referendum for contingent property and income tax reductions based on surplus .
Type: Legislative Referendum
Status: Legislature referred SB 426 to the 2012 General Election Ballot.

***Please Note:** Ballot issue numbers listed below are assigned by the order in which they were received at the Office of the Montana Secretary of State. They do not reflect a ranking or how the initiative will be numbered if it is placed on the ballot.*

The following proposals for ballot issues for the November 6, 2012, general election ballot have been submitted to the Secretary of State:

Ballot Issue #1 CI-107 (Status current as of 9/15/2011)
Subject: Amend the Montana Constitution to allow a person accused of a crime to argue to the jury the merits of the law.
Sponsor: Roger Roots
Type: Constitutional amendment by initiative
Received by SOS: March 25, 2011
Status: Petition has been approved for signature gathering beginning not earlier than June 22, 2011.
Next Step: As of October 20, 2011, sponsor may submit signatures to county election offices.

Ballot Issue #2 (Status current as of 9/15/2011)
Subject: Amend the Montana Constitution's due process section to define "person" to include every human being at any stage of development, including fertilization or conception.
Sponsor: Dr. Annie Bukacek
Type: Constitutional amendment by initiative
Received by SOS: May 2, 2011
Status: Withdrawn by Sponsor. Resubmitted as Ballot Issue #6.

Ballot Issue #3 IR-124 (Status current as of 9/15/2011)
Subject: Refer SB 423 to the voters of Montana
Sponsor: John Masterson, Montana Cannabis Industry Association
Type: Initiative Referendum
Received by SOS: May 12, 2011
Status: Petition has been approved for signature gathering as of June 28, 2011.
Total signatures received and tallied by SOS:
5% Qualification to appear on the 2012 ballot: 10,039 of 24,337 total signatures needed; qualified in 10 of 34 legislative districts needed.
15% Qualification to appear on the 2012 ballot and to suspend the law: Qualified in 0 of 51 legislative districts (need 15% in each of at least 51 legislative districts).

Ballot Issue #4 IR-125 (Status current as of 9/15/2011)
Subject: Refer HB 198 to the voters of Montana
Sponsor: Kate Ord, Concerned Citizens Montana
Type: Initiative Referendum
Received by SOS: May 18, 2011
Status: Petition has been approved for signature gathering as of July 12, 2011.
Total signatures received and tallied by SOS:
5% qualification to appear on the 2012 ballot:
752 of 24,337 total signatures needed; qualified in 1 of 34 legislative districts needed. **15% qualification to appear on the 2012 ballot and to suspend the law:** Qualified in 0 of 51 legislative districts (need 15% in each of at least 51 legislative districts).

Ballot Issue #5 (Status current as of 9/15/2011)
Subject: Secure the rights of adults regarding alcohol and marijuana.
Sponsor: Barb Trego
Type: Constitutional amendment by Initiative

Received by SOS: July 11, 2011

Status: Sponsor responded to Legislative Service Division's recommendations and submitted ballot issue for legal sufficiency review by Attorney General.

Next Step: Attorney General will review ballot issue text and issue a legal sufficiency opinion.

Ballot Issue #6 CI-108 (Status current as of 9/15/2011)

Subject: Amend the Montana Constitution's due process section to define "person" to include all human beings, at every stage of development, including fertilization and conception.

Sponsor: Dr. Annie Bukacek

Type: Constitutional amendment by Initiative

Received by SOS: July 14, 2011

Status: Petition has been approved for signature gathering as of August 4, 2011.

Next Step: As of October 20, 2011, sponsor may submit signatures to county election offices.

Ballot Issue #7 (Status current as of 9/15/2011)

Subject: Reserve to the people the power to amend or repeal laws passed by initiative.

Sponsor: Michelle Hutsell, Montana Coalition for Rights

Type: Constitutional amendment by initiative

Received by SOS: September 2, 2011

Status: Sponsor responded to Legislative Service Division's recommendations and submitted ballot issue for legal sufficiency review by Attorney General.

Next Step: Attorney General will review ballot issue text and issue a legal sufficiency opinion.

[Home](#) | [Contact Us](#) | [About Us](#) | [Privacy & Security](#) | [Accessibility](#) | [ADA Notice](#) | [Employment](#) | [MT.gov](#)
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Panoramas by Craig Hergert



Ballot Issue Calendar

Montana Secretary of State Linda McCulloch

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Deadline	<i>*Deadline is 5:00 p.m. on specified day unless otherwise noted.</i>	Statute
April 28, 2011	Adjournment of 2011 Legislature	Article III, Section 5, MT Const.
Signature gathering may not begin until after Secretary of State issues final petition form	Earliest time for gathering signatures on initiative referendum; also earliest time to submit signed petition signature sheets to county election administrators	Article III, Section 5, MT Const.
June 22, 2011	First day to circulate approved constitutional and statutory initiative petitions (<i>see also initiative referendum information above</i>)	13-27-202(1)
September 30, 2011	Deadline for submitting initiative referendum petitions to county election administrators; last day to withdraw initiative referendum signatures	13-27-301(1)
October 20, 2011	First day for submitting constitutional and statutory initiative petition signatures to county election administrators (<i>see also initiative referendum information above</i>)	13-27-301
October 28, 2011	Deadline for county election administrators to file certified initiative referendum petitions with the Secretary of State's office	Article III, Section 5, MT Const.
	Secretary of State tabulates certified initiative referendum petition signature totals	13-27-307
After final SOS tabulation of certified initiative referendum petition signature totals	Secretary of State certifies initiative referendum ballot issue to Governor	13-27-308
June 5, 2012	PRIMARY NOMINATING ELECTION	13-1-107(1)
June 22, 2012	Signatures due to election administrators for constitutional and statutory initiatives for certification; last day for withdrawal of signatures	13-27-301
July 17, 2012	Appointment of committee members by designated individuals	13-27-403
July 20, 2012	Deadline for county election administrators to file complete constitutional and statutory initiative petitions in the Secretary of State's office	13-27-104
	Secretary of State tabulates certified constitutional and statutory initiative petition signature totals	13-27-307
After final SOS tabulation of certified statutory or constitutional initiative petition signature totals	Secretary of State certifies constitutional and statutory initiatives to Governor	13-27-308
July 23, 2012	Secretary of State to notify committee members of deadlines by this date (or within 5 days of appointment)	13-27-403
July 24, 2012	Committee arguments due to Secretary of State	13-27-406
	Appointments by committee members to fill vacancies	13-27-403
July 26, 2012	Supporters and opponents must file supporting documents for factual statements made in arguments (within 2 business days of the argument deadline)	13-27-409
August 3, 2012	Rebuttal arguments due to the Secretary of State	13-27-407
August 7, 2012	Deadline for supporters and opponents to file supporting documents for factual statements made in rebuttals (within 2 business days of the rebuttal deadline)	13-27-409
October 9, 2012	Voter information pamphlets must be mailed to voters	13-27-410
November 6, 2012	GENERAL ELECTION	13-1-104