

HOUSE BILL NO. 381

INTRODUCED BY FUCHS, ANDERSEN, BALLYEAT, BARRETT, BOOKOUT-REINICKE, R. BROWN, E. CLARK, FACEY, FISHER, FORRESTER, GALLUS, GILLAN, GOLIE, HAINES, HEDGES, JACKSON, LAKE, LAMBERT, LANGE, LAWSON, LEHMAN, MAEDJE, MATTHEWS, MENDENHALL, MOOD, MORGAN, A. OLSON, PATTISON, PETERSON, RICE, RIPLEY, ROBERTS, ROSS, B. RYAN, SALES, SCHRUMPF, SHOCKLEY, SINRUD, B. THOMAS, WAGMAN, WITT, YOUNKIN

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VIII, SECTION 16, OF THE MONTANA CONSTITUTION TO REQUIRE A STATEWIDE VOTE TO REESTABLISH THE STATE INCOME TAX OR STATEWIDE PROPERTY TAX IF EITHER TAX IS ELIMINATED WITH THE ENACTMENT OF A SALES OR USE TAX."

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

Section 1. Article VIII, section 16, of The Constitution of the State of Montana is amended to read:

"Section 16. Limitation on sales tax or use tax -- rates -- vote to reestablish eliminated tax. (1) The rate of a general statewide sales tax or use tax may not exceed 4%.

(2) If a general statewide sales tax or use tax is enacted and either the STATE income tax or the STATEWIDE property tax is eliminated with the enactment, then the eliminated tax may not be reestablished without an affirmative vote on the question of its reestablishment at a statewide general election."

NEW SECTION. **Section 2. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2004 by printing on the ballot the full title of this act and the following:

- FOR requiring a statewide vote to reestablish the STATE income tax or STATEWIDE property tax if either tax is eliminated with the enactment of a sales tax.
- AGAINST requiring a statewide vote to reestablish the STATE income tax or STATEWIDE property tax if either tax is eliminated with the enactment of a sales tax.

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