

SENATE BILL NO. 258

INTRODUCED BY F. THOMAS, R. BROWN, BRUEGGEMAN, KEENAN, LASZLOFFY, MCNUTT, MOOD,
STAPLETON

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE ASSIGNMENT OF HOLDOVER SENATORS TO NEW DISTRICTS FOR THE REMAINDER OF THEIR TERMS IN THE SESSION DURING WHICH THE LEGISLATIVE REDISTRICTING PLAN IS SUBMITTED TO THE LEGISLATURE FOR RECOMMENDATIONS; PROHIBITING THE DISTRICTING AND APPORTIONMENT COMMISSION FROM ASSIGNING HOLDOVER SENATORS TO NEW DISTRICTS; PROVIDING FOR THE ASSIGNMENT OF HOLDOVER SENATORS TO DISTRICTS BY JOINT RESOLUTION; PROVIDING THAT THE ASSIGNMENT OF A HOLDOVER SENATOR BE BASED UPON THE GREATEST PERCENTAGE OF POPULATION IN THE NEW DISTRICT THAT VOTED FOR THE SENATOR IN THE PRIOR ELECTION AND THE SENATOR'S RESIDENCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Assignment of holdover senators.** (1) In the session in which the legislative redistricting plan is submitted to the legislature for recommendations, the legislature, by joint resolution, shall assign holdover senators to a district for the remainder of those senators' terms. The districting and apportionment commission may not assign holdover senators to districts for the remainder of those senators' terms. The assignments must occur after the plan becomes law.

(2) In making the assignments provided for in subsection (1), the legislature, if possible, shall assign a holdover senator to a district based upon the greatest percentage of population in the new district that voted for the senator in the prior election and the senator's residence.

(3) For the purposes of this section, a holdover senator is a senator who is not required to seek election at the general election held immediately following the districting plan becoming law.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 5, chapter 1, part 1, and the provisions of Title 5, chapter 1, part 1, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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