64th Legislature HB0457.01

1	HOUSE BILL NO. 457
2	INTRODUCED BY M. MONFORTON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN
5	AMENDMENT TO ARTICLE II, SECTION 12, OF THE MONTANA CONSTITUTION TO CONFORM THE
6	EXISTING MONTANA CONSTITUTION TO MODERN CULTURE BY REMOVING LANGUAGE REGARDING
7	CONCEALED WEAPONS INITIALLY USED IN THE 1884 MONTANA TERRITORIAL CONSTITUTION; AND
8	PROVIDING AN EFFECTIVE DATE."
9	
10	WHEREAS, the language of Article II, section 12, of the Montana Constitution is unchanged since it was
11	first adopted as part of the Montana Territorial Constitution in 1884; and
12	WHEREAS, the language of this provision was retained in the 1889 Montana Statehood Constitution and
13	the 1972 Montana Constitution; and
14	WHEREAS, the exception concerning concealed weapons that was included in the 1884 Territorial
15	Constitution was a feature of the culture at that time; and
16	WHEREAS, in 1884, a person who concealed a firearm was considered to be an undesirable person;
17	and
18	WHEREAS, Montana culture has changed in the 131 years since the adoption of the Montana Territorial
19	Constitution; and
20	WHEREAS, since lawful citizens openly carrying firearms may be offensive or disturbing to some
21	individuals, a new culture has evolved in Montana that views the discreet carrying of firearms to be more culturally
22	acceptable.
23	
24	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
25	
26	Section 1. Article II, section 12, of The Constitution of the State of Montana is amended to read:
27	"Section 12. Right to bear arms. The right of any person to keep or bear arms in defense of his own
28	home, person, and property, or in aid of the civil power when thereto legally summoned, shall not be called in
29	question, but nothing herein contained shall be held to permit the carrying of concealed weapons."
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1	<u>NEW SECTION.</u> <b>Section 2. Two-thirds vote required.</b> Because [section 1] is a legislative proposa
2	to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
3	of two-thirds of all the members of the legislature, whether one or more bodies, for passage.
4	
5	NEW SECTION. Section 3. Effective date. If approved by the electorate, [this act] is effective January
6	1, 2017.
7	
8	NEW SECTION. Section 4. Submission to electorate. [This act] shall be submitted to the qualified
9	electors of Montana at the general election to be held in November 2016 by printing on the ballot the full title of
10	[this act] and the following:
11	[] YES on Constitutional Amendment
12	[] NO on Constitutional Amendment
13	- END -

