

SENATE BILL NO. 231

INTRODUCED BY B. BENNETT, K. BOGNER, D. BROWN, J. COHENOUR, A. OLSZEWSKI, K. REGIER,
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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE BILL SPONSOR OF A LEGISLATIVE
REFERENDUM TO BE APPOINTED TO THE BALLOT COMMITTEE ADVOCATING APPROVAL OF THE
REFERENDUM; AND AMENDING SECTION 13-27-402, MCA."

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

Section 1. Section 13-27-402, MCA, is amended to read:

"13-27-402. Committees to prepare arguments for and against ballot issues. (1) The arguments
advocating approval or rejection of the ballot issue and rebuttal arguments must be submitted to the secretary
of state by committees appointed as provided in this section.

(2) (a) The committee advocating approval of a legislative act referred to the people either by the
legislature or by referendum petition or advocating approval of a constitutional amendment referred by the
legislature must be composed of:

(i) one senator known to favor the referred ballot issue, appointed by the president of the senate;

(ii) one representative known to favor the referred ballot issue, appointed by the speaker of the house
of representatives; and

(iii) one individual who need not be a member of the legislature, appointed by the first two members.

(b) The president of the senate or the speaker of the house shall appoint the primary bill sponsor to the
committee advocating approval of a legislative act referred to the people by the legislature or to the committee
advocating a constitutional amendment referred by the legislature under subsection (2)(a)(i) or (2)(a)(ii),
depending on the legislative body in which the bill originated. However, if the primary bill sponsor is unable to
perform the duties required by this part due to death, illness, absence, or incapacity, or if the primary bill sponsor
otherwise declines to participate as a committee member, the president of the senate or the speaker of the house,
whichever would have otherwise appointed the primary bill sponsor, shall immediately appoint a replacement
pursuant to subsection (2)(a)(i) or (2)(a)(ii) of this section by the deadline established in 13-27-403(1).

(3) (a) The committee advocating rejection of an act referred to the people or of a constitutional



1 amendment proposed by the legislature must be composed of:

2 (i) one senator appointed by the president of the senate;

3 (ii) one representative appointed by the speaker of the house of representatives; and

4 (iii) one individual who need not be a member of the legislature, appointed by the first two members.

5 (b) Whenever possible, the members must be known to have opposed the issue.

6 (4) The following must be three-member committees and must be appointed by the person submitting
7 the ballot issue to the secretary of state under the provisions of 13-27-202:

8 (a) the committee advocating approval of a ballot issue proposed by any type of initiative petition; and

9 (b) the committee advocating rejection of any legislative act referred to the people by referendum
10 petition.

11 (5) A committee advocating rejection of a ballot issue proposed by any type of initiative petition must be
12 composed of five members. The governor, attorney general, president of the senate, and speaker of the house
13 of representatives shall each appoint one member, and the fifth member must be appointed by the first four
14 members. If possible, members must be known to favor rejection of the issue.

15 (6) A person may not be required to serve on any committee under this section, and except for legislative
16 appointments made by the president of the senate or by the speaker of the house of representatives, the person
17 making an appointment must have written acceptance of appointment from the appointee. If an appointment is
18 not made by the required time, the committee members that have been appointed may fill the vacancy by
19 unanimous written consent up until the deadline for filing the arguments."

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