SENATE JOINT RESOLUTION NO. 28

INTRODUCED BY D. EMRICH, J. HINKLE, T. MANZELLA, K. REGIER, S. HINEBAUCH, B. USHER, M. NOLAND, D. BARTEL, C. GLIMM, K. BOGNER, B. BROWN


WHEREAS, the 16th amendment to the U.S. Constitution allows Congress to collect an income tax; and

WHEREAS, the 16th amendment to the U.S. Constitution was ratified on February 3, 1913; and

WHEREAS, there are questions about the ratification process of the 16th amendment to the U.S. Constitution published in "The Law that Never Was"; and

WHEREAS, states may have changed the wording of the 16th amendment before approving the amendment; and

WHEREAS, states may have violated provisions in their state constitutions during the amendment adoption process; and

WHEREAS, states may not have provided the federal government with official copies of the approved amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, to review the adoption process of the 16th amendment to the U.S. Constitution.

BE IT FURTHER RESOLVED, that the committee determine whether the adoption of the 16th amendment was valid.
BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2024.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 69th Legislature.

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