

## TERM LIMITS

### LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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### Background Materials and Research

**Topic Summary:** Term limits for Montana state officials are established in [Article IV, section 8, of the Montana Constitution](#), which was approved by Montana voters in 1992 in Constitutional Initiative 64. Though CI-64 also included term limits for U.S. Representatives and U.S. Senators, those limits that affected federal offices were struck down by the U.S. Supreme Court in [U.S. Term Limits, Inc. vs Thornton](#) (514 US 779 (1995)).

Term limits are:

- 8 or more years in any 16-year period as governor, lieutenant governor, secretary of state, state auditor, attorney general, or superintendent of public instruction;
- 8 or more years in any 16-year period as a state representative;
- 8 or more years in any 16-year period as a state senator.

A person may be elected as a write-in candidate regardless of term limits.

**Legislative Services Division Materials:** Can include reports, legal opinions, white papers. Hyperlinks.

#### Other Materials:

[Term Limits information](#) – Office of the Secretary of State

Montana Attorney General Opinions on Term Limits:

- [54 Op. Att’y Gen. No. 4, 2002](#);
- [47 Op. Att’y Gen. No. 9, 1997](#).

[Legislative Term Limits: An Overview](#), National Conference of State Legislatures

## Introduced Legislation

### 2021

None

### 2019

None

### 2017

[HB 626](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMITS FOR STATE LEGISLATORS; AND PROVIDING AN EFFECTIVE DATE.

### 2015

[HB 601](#) – Tabled in Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMITS FOR STATE LEGISLATORS; AND PROVIDING AN EFFECTIVE DATE.

[HB 639](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMITS FOR STATE LEGISLATORS; AND PROVIDING AN EFFECTIVE DATE.

[SB 383](#) – Missed Deadline for Referendum Proposal Transmittal – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO REPEAL ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION PROVIDING TERM LIMITS FOR LEGISLATORS AND THE GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, STATE AUDITOR, ATTORNEY GENERAL, AND SUPERINTENDENT OF PUBLIC INSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.

[SB 391](#) – Tabled in Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO ELIMINATE TERM LIMITS FOR STATE LEGISLATORS; AND PROVIDING AN EFFECTIVE DATE.

### 2013

[HB 277](#) – 2nd Reading Conference Committee Report Adopt Motion Failed – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMITS FOR STATE LEGISLATORS; AND PROVIDING AN EFFECTIVE DATE.

[HB 520](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION AND ARTICLE V, SECTION 3, OF THE MONTANA CONSTITUTION TO EXTEND THE TERMS OF REPRESENTATIVES TO 4 YEARS AND SENATORS TO 6 YEARS; REVISING TERM LIMITS FOR REPRESENTATIVES AND

SENATORS TO REFLECT THE EXTENDED TERMS; ELIMINATING THE REQUIREMENT THAT ONE-HALF OF THE SENATORS BE ELECTED EVERY 2 YEARS IN ORDER TO REFLECT EXTENDED TERMS FOR SENATORS; AND PROVIDING AN EFFECTIVE DATE.

## 2011

[HB 164](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMITS FOR STATE LEGISLATORS TO ALLOW UP TO 12 YEARS IN THE STATE HOUSE OF REPRESENTATIVES AND 12 YEARS IN THE STATE SENATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[HB 404](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REPEAL TERM LIMITS FOR STATE SENATORS AND STATE REPRESENTATIVES.

[HB 418](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMITS FOR STATE LEGISLATORS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[SB 311](#) – Chapter Number Assigned – AN ACT CLARIFYING THE TERMS OF OFFICE AND YEARS SERVED FOR OFFICIALS ELECTED TO AND CANDIDATES SEEKING NOMINATION FOR OFFICES THAT ARE CONSTITUTIONALLY TERM-LIMITED; EXTENDING RULEMAKING AUTHORITY; AND AMENDING SECTION 13-10-201, MCA.

## 2009

[HB 174](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE TERM LIMIT FOR STATE LEGISLATORS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[HB 458](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO REPEAL ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION PROVIDING TERM LIMITS FOR LEGISLATORS AND THE GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, STATE AUDITOR, ATTORNEY GENERAL, AND SUPERINTENDENT OF PUBLIC INSTRUCTION.

[SB 495](#) – Died in Standing Committee – AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO REVISE THE CALCULATION OF LIMITATIONS ON TERMS OF OFFICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

### Prepared By:

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