

1 (2) Subsection (1) does not apply to a submission received on or after the date that falls 180 days after
2 the date that the legislature convened in regular session pursuant to 5-2-103, even if the legislature has not
3 adjourned sine die.

4

5 **Section 2.** Section 13-27-202, MCA, is amended to read:

6 **"13-27-202. Recommendations -- registration by paid signature gatherers -- approval of form**

7 **required.** (1) (a) A proponent of a ballot issue shall submit the text of the proposed ballot issue to the secretary
8 of state together with draft ballot issue statements intended to comply with 13-27-312. If the secretary of state
9 rejects a submission pursuant to [section 1], the secretary of state shall promptly notify the person who
10 submitted the proposal of the reason for the rejection. ~~Petitions~~ A petition for a ballot issue may not be
11 circulated for the purpose of signature gathering more than 1 year prior to the final date for filing the signed
12 petition with the county election administrator. The secretary of state shall forward a copy of the text of the
13 proposed issue and statements to the legislative services division for review.

14 (b) A person who employs a paid signature gatherer shall register with the secretary of state prior to
15 collecting signatures. Except as provided in subsection (1)(c), the registration in this subsection (1) must be
16 accompanied by a filing fee of not more than \$100 or an amount set by the secretary of state. The fee must be
17 deposited in an account to the credit of the secretary of state in accordance with 2-15-405(4).

18 (c) A person who employs a paid signature gatherer may seek a waiver from the fee required in
19 subsection (1)(b) by demonstrating a financial inability to pay without substantial hardship.

20 (d) The secretary of state may adopt rules to provide for the administration of this subsection (1),
21 including rules to implement a standard registration form and the waiver provisions in subsection (1)(c).

22 (2) (a) The legislative services division staff shall review the text and statements for clarity,
23 consistency, and conformity with the most recent edition of the bill drafting manual furnished by the legislative
24 services division, the requirements of 13-27-312, and any other factors that the staff considers when drafting
25 proposed legislation.

26 (b) Within 14 days after submission of the text and statements, the legislative services division staff
27 shall recommend in writing to the proponent revisions to the text and revisions to the statements to make them
28 consistent with any recommendations for change to the text and the requirements of 13-27-312 or state that no

1 revisions are recommended.

2 (c) The proponent shall consider the recommendations and respond in writing to the legislative
3 services division, accepting, rejecting, or modifying each of the recommended revisions. If revisions are not
4 recommended, a response is not required.

5 (3) The legislative services division shall furnish a copy of the correspondence provided for in
6 subsection (2) to the secretary of state, who shall make a copy of the correspondence available to any person
7 upon request.

8 (4) Before a petition may be circulated for signatures, the final text of the proposed issue and ballot
9 statements must be submitted to the secretary of state. The secretary of state shall reject the proposed issue if
10 the text or a ballot statement contains material not submitted to the legislative services division that is a
11 substantive change not recommended by the legislative services division. If accepted, the secretary of state
12 shall refer a copy of the proposed issue and statements to the attorney general for a determination as to the
13 legal sufficiency of the issue and for approval of the petitioner's ballot statements and for a determination
14 pursuant to 13-27-312 as to whether a fiscal note is necessary.

15 (5) (a) The secretary of state shall review the legal sufficiency opinion and ballot statements of the
16 petitioner, as approved by the attorney general and received pursuant to 13-27-312.

17 (b) If the attorney general approves the proposed issue, the secretary of state shall provide the
18 executive director of the legislative services division a copy of the final text of the proposed issue and ballot
19 statements. The executive director shall provide the information to the appropriate interim committee for review
20 in accordance with 5-5-215. If questions arise regarding which interim committee has jurisdiction over the
21 matter, the executive director shall direct the review to the legislative council in accordance with 5-11-105.

22 (c) The appropriate interim committee or legislative council shall meet and hold a public hearing after
23 receiving the information and vote to either support or not support the placement of the proposed initiative text
24 on the ballot. The outcome of the vote must be submitted to the secretary of state no later than 14 days after
25 receipt of the final text of the proposed issue and ballot statements. Nothing in this section prevents the interim
26 committee from meeting remotely or via conference call. Proxies must be allowed for legislators unable to
27 participate if a quorum of the committee or council meets to fulfill the requirements of this section.

28 (d) The executive director shall provide written correspondence to the secretary of state providing the

1 name of the interim committee or the administrative committee that voted on the proposal, the date of the vote,
2 and the outcome of the vote conducted in accordance with subsection (5)(c).

3 (e) After the executive director provides the information to the secretary of state in accordance with
4 subsection (5)(d), the secretary of state shall immediately send to the person submitting the proposed issue a
5 sample petition form, including the text of the proposed issue, the statement of purpose and implication, and the
6 yes and no statements, as prepared by the petitioner, reviewed by the legislative services division, and
7 approved by the attorney general and in the form provided by this part. A signature gatherer may circulate the
8 petition only in the form of the sample prepared by the secretary of state. The secretary of state shall
9 immediately provide a copy of the sample petition form to any interested parties who have made a request to
10 be informed of an approved petition.

11 (f) If the attorney general rejects the proposed issue, the secretary of state shall send written notice to
12 the person who submitted the proposed issue of the rejection, including the attorney general's legal sufficiency
13 opinion.

14 (g) If an action is filed challenging the validity of the petition, the secretary of state shall immediately
15 notify the person who submitted the proposed issue."

16
17 NEW SECTION. Section 3. {standard} Effective date. [This act] is effective on passage and
18 approval.

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20 NEW SECTION. Section 4. Applicability. [This act] applies to a ballot issue submitted to the
21 secretary of state on or after [the effective date of this act].

22 - END -