The Montana Legislature is the branch of state government with the power and authority to enact laws, or “legislate”. **Only members of the Legislature or committees of the Legislature may request the drafting of bills.** These bills may create public policy or appropriate money, either by changing or repealing existing laws or by establishing new ones.

**A GUIDE FOR LEGISLATORS ON REQUESTING AND SPONSORING BILLS**

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YOU MAY PROPOSE SEVERAL DIFFERENT TYPES OF LEGISLATION:

- **General** bills amend, repeal, or establish new statutes that govern the state.
- **Appropriation** bills give the state authority to spend money for a specific purpose. These bills must originate in the House of Representatives. A senator may request an appropriation bill but must ask a representative to sponsor and introduce the bill.
- **Revenue** bills increase or decrease the amount of taxes or fees received by the government.
- **Constitutional amendments** may be proposed through legislative referendum. They must be approved by two-thirds of the Legislature and referred to Montana voters for final action.
- **Referenda** are bills that require a vote of the people before they become law.
- **Resolutions** are written proposals used for making declarations, stating policies, and making decisions for various actions of the Legislature where no other form is prescribed (see Joint Rule 40-60).

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**an idea is born**

To ensure that the bill you want drafted will accomplish your policy goals, give some thought to these questions before you submit your request to the Legislative Services Division:

- What is the problem you want to solve? Is it caused by existing law(s)?
- Who is affected by the problem?
- What result(s) do you want to achieve with your bill?
- What is your proposed solution to the problem?
- What action should the government take to solve the problem?
- Is it possible to achieve your proposed solution by changing existing statutes? Which ones?
- Is there a document or “draft bill” prepared by a citizen, agency, lobbyist, or other entity that could serve as a model or provide guidance for drafting your bill?
- Is there legislation from another state that could serve as a model?
- Will it cost money to implement your proposal? Where should the money come from?
To request a bill draft, fill out a "Bill Drafting Request" form, available from the Legislative Services Division. There must be sufficient information for a subject area to be assigned. You can request a bill by delivering the form in person, by faxing the form, or by submitting the form in an e-mail or by phone to the Legislative Services Division. Each bill draft request is assigned to a staff attorney or research analyst based on experience and workload. The drafter is an impartial technician whose function is to translate your objectives and policy ideas into clear, concise, and unambiguous language.

The Legislative Services Division is responsible for drafting bills for legislators. When you request a bill draft, the request is assigned an "LC" or tracking number, such as LC0250. Staff of the Legislative Services Division ensure that bill drafts are in the proper format, style, and legal form. After your bill is drafted, you may "sponsor" the bill by signing the final draft and submitting it to either the Chief Clerk of the House of Representatives or the Secretary of the Senate. This constitutes introduction of a bill, and it is then assigned a number, such as Senate Bill No. 12 (SB12) or House Bill No. 25 (HB25).

Often, the same legislator both requests and sponsors a bill. But you may allow another legislator to be the sponsor of your bill draft. The sponsor is responsible for shepherding the bill through the legislative process.

The Legislative Service Division's Bill Drafting Manual.

Prioritizing Bill Drafts

Staff of the Legislative Services Division are responsible for drafting all bills. They generally work on bill draft requests in the order they get them. Even when a bill has been drafted by an agency or a constituent, a drafter must process the bill to ensure that it complies with the Legislative Service Division's Bill Drafting Manual.

After you have requested five bill drafts, all of your additional requests will be given a lower priority than the first five requests of other legislators. This is important to understand (especially for holdover senators and unopposed candidates prior to election) if you request a bill for another legislator. Before you give away your own priority status, remember that each bill draft you request will count toward your first five bills.

You will also be responsible for picking up the completed bill and either introducing it or giving it to another legislator to sponsor and introduce. If you introduce the bill, you cannot change the sponsor. You may only add additional sponsors (see Joint Rule 40-40(2)).

Each of the leaders of the House and Senate may ask the Legislative Services Division to assign a higher priority to 10 bill draft requests.

Agency bill drafts may be requested by interim committees or by individual legislators. If you make a request on behalf of an agency, it will count against your total bill draft request limit.