

SENATE BILL NO. 56

INTRODUCED BY E. MCCLAFFERTY

BY REQUEST OF THE STATE ADMINISTRATION AND VETERAN AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT AN ACT REVISING CERTAIN BALLOT INITIATIVE PETITION FORMS FOR CONSISTENCY WITH DISTRIBUTION REQUIREMENTS SET BY THE MONTANA CONSTITUTION; AMENDING SECTIONS 13-27-204 AND 13-27-207, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 13-27-204, MCA, is amended to read:

"13-27-204. Petition for initiative. (1) The following, including the language provided for in subsection (2)(b), is substantially the form for a petition calling for a vote to enact a law by initiative:

PETITION TO PLACE INITIATIVE NO. ____ ON THE ELECTION BALLOT

(a) If 5% of the voters in each of ~~one-half of the counties~~ one-third of the legislative representative districts (totaling 34 legislative representative districts) sign this petition and the total number of voters signing this petition is _____, this initiative will appear on the next general election ballot. If a majority of voters vote for this initiative at that election, it will become law.

(b) We, the undersigned Montana voters, propose that the secretary of state place the following initiative on the _____, 20____, general election ballot:

(Title of initiative written pursuant to 13-27-312)

(Statement of purpose and implication written pursuant to 13-27-312)

(Yes and no statements written pursuant to 13-27-312)

(c) Voters are urged to read the complete text of the initiative, which appears (on the reverse side of, attached to, etc., as applicable) this sheet. A signature on this petition is only to put the initiative on the ballot and does not necessarily mean the signer agrees with the initiative.

(d) Voters are advised that either an interim committee or an administrative committee of the



1 legislature in accordance with 5-5-215 or 5-11-105 reviewed the content of this initiative and [did] or [did not]
 2 support the placement of the proposed text of this initiative on the ballot. The outcome of the vote was [x] in
 3 favor of placing the measure on the ballot and [x] against placing the measure on the ballot.

4 (e)

5 WARNING

6 A person who purposefully signs a name other than the person's own to this petition, who signs more
 7 than once for the same issue at one election, or who signs when not a legally registered Montana voter is
 8 subject to a \$500 fine, 6 months in jail, or both.

9 (f) Each person is required to sign the person's name and list the person's address or telephone
 10 number in substantially the same manner as on the person's voter registration form or the signature will not be
 11 counted.

12 (2) (a) If the attorney general determines the proposed ballot issue will likely cause significant
 13 material harm to one or more business interests in Montana pursuant to 13-27-312(9), the statement in
 14 subsection (2)(b) must appear on the front page of the petition form before the information set forth in
 15 subsection (1).

16 (b)

17 WARNING

18 The Attorney General of Montana has determined the proposed ballot issue will likely cause significant
 19 material harm to one or more business interests in Montana.

20 (3) Numbered lines must follow the heading. Each numbered line must contain spaces for the
 21 signature, date, residence address, county of residence, and printed last name and first and middle initials of
 22 the signer. In place of a residence address, the signer may provide the signer's post-office address or the
 23 signer's home telephone number. An address provided on a petition by the signer that differs from the signer's
 24 address as shown on the signer's voter registration form may not be used as the only means to disqualify the
 25 signature of that petition signer."

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27 **Section 2.** Section 13-27-207, MCA, is amended to read:

28 **"13-27-207. Petition for initiative for constitutional amendment.** (1) The following is substantially

1 the form for a petition for an initiative to amend the constitution:

2 PETITION TO PLACE CONSTITUTIONAL_AMENDMENT NO.____ ON THE ELECTION BALLOT

3 (a) If 10% of the voters in each of ~~one-half of the counties~~ two-fifths of the legislative
 4 representative districts (totaling 40 legislative representative districts) sign this petition and the total number of
 5 voters signing the petition is _____, this constitutional amendment will appear on the next general election
 6 ballot. If a majority of voters vote for this amendment at that election, it will become part of the constitution.

7 (b) We, the undersigned Montana voters, propose that the secretary of state place the following
 8 constitutional amendment on the _____, 20__, general election ballot:

9 (Title of the proposed constitutional amendment written pursuant to 13-27-312)

10 (Statement of purpose and implication written pursuant to 13-27-312)

11 (Yes and no statements written pursuant to 13-27-312)

12 (c) Voters are urged to read the complete text of the constitutional amendment, which appears (on
 13 the reverse side of, attached to, etc., as applicable) this sheet. A signature on this petition is only to put the
 14 constitutional amendment on the ballot and does not necessarily mean the signer agrees with the amendment.

15 (d)

16 WARNING

17 A person who purposefully signs a name other than the person's own to this petition, who signs more
 18 than once for the same issue at one election, or who signs when not a legally registered Montana voter is
 19 subject to a \$500 fine, 6 months in jail, or both.

20 (e) Each person is required to sign the person's name and list the person's address or telephone
 21 number in substantially the same manner as on the person's voter registration form or the signature will not be
 22 counted.

23 (2) Numbered lines must follow the heading. Each numbered line must contain spaces for the
 24 signature, date, residence address, county of residence, and printed last name and first and middle initials of
 25 the signer. In place of a residence address, the signer may provide the signer's post-office address or the
 26 signer's home telephone number. An address provided on a petition by the signer that differs from the signer's
 27 address as shown on the signer's voter registration form may not be used as the only means to disqualify the
 28 signature of that petition signer."

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NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 4. Applicability.** [This act] applies to petitions that are approved as to form as provided in 13-27-202 on or after [the effective date of this act].

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