

1 HOUSE BILL NO. 512
2 INTRODUCED BY B. MERCER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR LEGISLATIVE INTERVENTION AS A MATTER
5 OF RIGHT IN CERTAIN LITIGATION; PROVIDING THE RIGHT TO INTERVENE TO A SPONSOR AND
6 COSPONSOR; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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10 **NEW SECTION. Section 1. Findings of purpose -- legislator intervention in legal challenges**

11 **authorized.** (1) The legislature finds that:

12 (a) proper interpretation and administration of legislative enactments of the state of Montana are
13 matters of great public interest and significant importance; and

14 (b) individual legislators in their capacity as sponsors or cosponsors of legislation at issue in
15 litigation have a plain, direct, and adequate interest in ensuring proper interpretation and administration of
16 legislative enactments that is distinguishable from that of the public generally.

17 (2) Legislators in their capacity as a sponsor or cosponsor of legislation at issue in a court
18 proceeding have an unconditional right to intervene in the litigation in the courts of this state.

19 (3) Nothing in this section supersedes the authority of the attorney general to represent the state of
20 Montana.

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22 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
23 integral part of Title 5, chapter 2, part 1, and the provisions of Title 5, chapter 2, part 1, apply to [section 1].

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

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27 **NEW SECTION. Section 4. Applicability.** [This act] applies to proceedings initiated on or after [the
28 effective date of this act].

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