

SENATE BILL 113

Introduced by Jergeson

1/16	Introduced
1/17	Referred to Judiciary
1/17	First Reading
1/24	Hearing
1/28	Tabled in Committee

CONSTITUTIONAL AMENDMENT

1 *Senate* BILL NO. 113
2 INTRODUCED BY *Jerguson*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V OF
6 THE CONSTITUTION OF THE STATE OF MONTANA TO ALLOW THE
7 LEGISLATURE BY A TWO-THIRDS VOTE OF EACH HOUSE TO OVERRIDE A
8 DECISION OF THE SUPREME COURT THAT DECLARES A STATUTE
9 UNCONSTITUTIONAL; AND PROVIDING AN IMMEDIATE EFFECTIVE
10 DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **Section 1.** Article V of The Constitution of the State
14 of Montana is amended by adding a new section 15 that reads:

15 **Section 15. Legislative override of supreme court**
16 **decisions.** In each regular legislative session, the
17 legislature may, by a two-thirds vote of each house,
18 override any ruling of the supreme court that was issued in
19 the prior 24 months, that declared a statute
20 unconstitutional, and that was decided solely on state
21 constitutional grounds.

22 **NEW SECTION. Section 2. Effective date.** This amendment
23 is effective on approval by the electorate.

24 **NEW SECTION. Section 3. Submission to electorate.** This
25 amendment shall be submitted to the qualified electors of

1 Montana at the general election to be held in November 1992
2 by printing on the ballot the full title of this act and the
3 following:
4 FOR allowing the legislature to override supreme
5 court decisions.
6 AGAINST allowing the legislature to override supreme
7 court decisions.

-End-

-2- INTRODUCED BILL
SB 113

