

1                    SENATE BILL NO. 20  
 2 INTRODUCED BY HAZELBAKER  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS  
 5 RELATING TO THE RECODIFICATION OF THE REVISED CODES OF  
 6 MONTANA, 1947; AMENDING SECTIONS 12-501, 12-505, 12-506,  
 7 12-507, 12-509, AND 12-510, R.C.M. 1947; AND PROVIDING AN  
 8 IMMEDIATE EFFECTIVE DATE."  
 9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11        Section 1. Section 12-501, R.C.M. 1947, is amended to  
 12 read as follows:  
 13        "12-501. Definitions. As used in this act the  
 14 following definitions apply:  
 15        (1) "Codes" "Code" or "codes" means the Revised Codes  
 16 of Montana, 1947, the pocket supplements thereto, and the  
 17 replacement volumes.  
 18        (2) "Recodify" means to compile, arrange, rearrange,  
 19 and prepare for publication. It includes, without changing  
 20 the meaning, effect, or intent of any law:  
 21        (a) ~~adopting a uniform system of~~ correcting or  
 22 changing punctuation, capitalization, spelling, grammatical  
 23 construction, and numbering as required by uniform literary  
 24 and bill drafting practice;  
 25        (b) substituting the appropriate new code section

1 division reference for reference to a section of, to a part  
 2 of, or to an entire an "act";  
 3        (c) substituting calendar date for "effective date,"  
 4 "hereafter," and similar terms;  
 5        (d) creating new titles, chapters, parts, sections, or  
 6 other divisions of the code;  
 7        (e) changing or inserting language made necessary  
 8 because of rearrangement;  
 9        (f) eliminating redundant words;  
 10        (g) when given direction or authority by another  
 11 statute, correcting inaccurate or obsolete references to:  
 12        (i) titles of officers or agencies, such as those  
 13 changed by executive reorganization statutes;  
 14        (ii) other code sections, such as those which have been  
 15 repealed or repealed and replaced;  
 16        (h) changing inaccurate terminology to comply with  
 17 statutory definitions or short form amendments, such as  
 18 those found in 19-122 or 93-411;  
 19        (i) whether originally written by the legislature or  
 20 by the code publisher, changing or creating section captions  
 21 (catch lines) to clearly reflect the content of the  
 22 section."  
 23        Section 2. Section 12-505, R.C.M. 1947, is amended to  
 24 read as follows:  
 25        "12-505. Code commissioner duties. Subject (1) The

1 code commissioner is subject to the general supervision and  
 2 policy of the legislative council, ~~the code commissioner~~  
 3 ~~shall.~~

4 ~~(1) prior~~ (2) Prior to January 1, 1979, ~~the code~~  
 5 commissioner shall recodify all the laws of a general and  
 6 permanent nature appearing in the codes and session laws and  
 7 prepare ~~the same~~ them for publication;

8 ~~(2) prior~~ (3) Prior to January 1, 1979, ~~the~~  
 9 commissioner shall prepare and submit to the legislature a  
 10 report which is certified by the commissioner as the  
 11 "Official Report of the Montana Code Commissioner", together  
 12 with a bill enacting the Montana Code Annotated. A copy of  
 13 the report and bill shall be deposited with the secretary  
 14 of state. The report shall explain and indicate, in tabular  
 15 or other form, all changes made during recodification, other  
 16 than punctuation and capitalization, to clearly indicate the  
 17 character of each change;

18 ~~(3) prior~~ (4) Prior to November 1, 1976, and prior to  
 19 November 1 of each year thereafter, ~~the commissioner shall~~  
 20 prepare and submit to the legislative council a report, in  
 21 tabular or other form, indicating the commissioner's  
 22 recommendations for legislation which will:

- 23 (a) eliminate archaic or outdated laws;  
 24 (b) eliminate obsolete or redundant wording of laws;  
 25 (c) eliminate any duplications in law and any laws

1 repealed directly or by implication;

2 (d) clarify existing laws;  
 3 (e) correct errors and inconsistencies within the  
 4 laws;

5 ~~(f) correct inaccurate references to titles of~~  
 6 ~~officers or agencies or to other statutes as may be~~  
 7 ~~necessary to obtain consistency with current law;~~

8 ~~(4) (5)~~ The commissioner shall cause to be prepared for  
 9 ~~inclusion, at the end of each section of the statutes,~~  
 10 publication with the Montana Code Annotated the following  
 11 material:

12 (a) ~~reference to the statutory~~ Statutory history of  
 13 ~~the each code~~ section;

14 (b) ~~annotations~~ Annotations of state and federal court  
 15 decisions relating to the subject matter of the ~~section~~  
 16 code; and

17 (c) ~~such~~ Such editorial notes, cross-references, and  
 18 other matter as the commissioner considers desirable or  
 19 advantageous;

20 ~~(5) cause to be prepared for publication with the~~  
 21 ~~Montana Codes Annotated.~~

22 ~~(a) Magna Charta;~~

23 ~~(b) (d)~~ The Declaration of Independence;

24 ~~(c) (e)~~ The Constitution of the United States of  
 25 America and amendments thereto;

1 ~~(d)~~ (f) Acts of ~~Congress~~ congress relating to the  
2 authentication of laws and records;

3 ~~(e)~~ (g) The Organic Act of the Territory of Montana;

4 ~~(f)~~ (h) The Enabling Act;

5 ~~(g)~~ (i) ~~The 1889 and 1972 constitutions~~ The 1972  
6 Constitution of the state of Montana and any amendments  
7 thereto;

8 ~~(h)~~ (j) The Ordinances relating to federal relations  
9 and elections;

10 ~~(i)~~ (k) Rules of civil, criminal, and appellate  
11 procedure and such other rules of procedure as the Montana  
12 supreme court may adopt; and

13 ~~(j)~~ (l) A complete subject index, a popular name index,  
14 and comparative disposition tables or cross reference  
15 indices indexes relating sections of the Montana Code  
16 Annotated to prior compilations and session laws.

17 (6) After publication of the Montana Code Annotated  
18 the code commissioner shall:

19 (a) annotate, arrange, assign catchlines and code  
20 section numbers to and prepare for publication all laws of a  
21 general and permanent nature enacted at each legislative  
22 session and assign catch lines and code section numbers to  
23 each new section;

24 (b) continue to codify, index, arrange, rearrange,  
25 divisions and generally update the Montana Code Annotated to

1 maintain an orderly and logical arrangement of the laws in  
2 order to avoid future need for bulk revision;

3 (c) prepare and submit to each legislature a report  
4 which is certified as the "Official Report of the Montana  
5 Code Commissioner — (year)" which indicates, in tabular or  
6 other ~~forms~~ form, all changes made during the continuous  
7 recodification, other than punctuation and capitalization,  
8 to clearly indicate the character of each change made since  
9 the first publication of the Montana Code Annotated.

10 (7) ~~from~~ From time to time the commissioner shall  
11 confer with members of the judiciary and the state bar  
12 relative to recodification procedures."

13 Section 3. There is a new R.C.M. section numbered  
14 12-505.1 that reads as follows:

15 12-505.1. Notice of effective date. Within 10 days  
16 after the bill enacting the Montana Code Annotated becomes  
17 effective, the secretary of state shall publish a notice  
18 thereof once in a newspaper of general circulation in each  
19 judicial district within the state, specifying in the notice  
20 the effective date of the code and the cost of a copy of the  
21 code.

22 Section 4. Section 12-506, R.C.M. 1947, is amended to  
23 read as follows:

24 "12-506. Effect of Montana Code Annotated. (1) The  
25 Montana Code Annotated shall be enacted as a ~~repeal and a~~

1 reenactment of the Revised Codes of Montana, 1947, and the  
2 supplements thereto.

3 (2) The enactment of the Montana Code Annotated shall  
4 not:

5 ~~(a) repeal all statutes and parts of statutes of a~~  
6 ~~general and permanent nature not contained in the Montana~~  
7 ~~Code Annotated;~~

8 ~~(b) (a)~~ not revive a law repealed or superseded before  
9 the effective date of the Montana Code Annotated;

10 ~~(c) (b)~~ not affect an act done, right accrued, or  
11 obligation incurred or imposed by law prior to the effective  
12 date of the Montana Code Annotated;

13 ~~(d) (c)~~ not affect any action, suit, or proceeding  
14 pending on such effective date;

15 ~~(d) repeal statutes of a nongeneral, nonpermanent~~  
16 ~~nature such as severability, construction, validating,~~  
17 ~~repealing, or similar statutes omitted from the Montana Code~~  
18 ~~Annotated.~~

19 (3) The Montana Code Annotated shall be given effect  
20 as a continuation of the Revised Codes of Montana and not as  
21 a new enactment. A defect in title of any act set out in  
22 prior laws and reenacted by the Montana Code Annotated is  
23 cured by such enactment.

24 (4) No implication or presumption of legislative  
25 construction is to be drawn from the classification and or

1 arrangement of the Montana Code Annotated.

2 (5) ~~Annotations, Unless specifically adopted as such~~  
3 ~~by the legislature, annotations, code commissioner notes,~~  
4 ~~and catch lines, or other editorial material to included in~~  
5 the Montana Code Annotated may not be construed ~~to form a~~ as  
6 part of the legislative text but ~~to be~~ are only for the  
7 purpose of convenience, orderly arrangement, and  
8 information.

9 ~~(6) In case of any inconsistency in meaning arising~~  
10 ~~through omission or otherwise between the provisions of the~~  
11 ~~Montana Code Annotated and the corresponding portion of~~  
12 ~~prior legislation, effect shall be given to the prior~~  
13 ~~legislation."~~

14 Section 5. Section 12-507, R.C.M. 1947, is amended to  
15 read as follows:

16 "12-507. Publications. (1) The legislative council  
17 with the advice of the code commissioner shall decide on the  
18 quantity, quality, style, format, and grade of all  
19 publications prior to having the department of  
20 administration contract for their publication.

21 (2) The methods of sale to the public of the Montana  
22 Code Annotated, and supplements or other subsequent and  
23 ancillary publications thereto, may be included as an  
24 alternative specification and bid, and as a part of a  
25 contract to be let by bids by the department of

1 administration.

2 (3) The sales price to the public shall be fixed by  
3 the legislative council but shall not exceed the cost price  
4 plus ~~twenty percent (20%)~~. All revenues generated from the  
5 sale to the public of the Montana Code Annotated shall be  
6 remitted to the state treasurer for the purpose of  
7 reimbursing the general fund for appropriations made for the  
8 use of the office and facilities of the legislative council  
9 under this act.

10 (4) Sets of the Montana Code Annotated purchased by  
11 the state ~~and its political subdivisions or local~~  
12 governmental agencies that are supported by public funds  
13 shall be for the cost price of the sets.

14 (5) The legislative council may distribute without  
15 charge the Montana Code Annotated and supplements thereto to  
16 state or local governmental agencies that are supported by  
17 public funds."

18 Section 6. Section 12-509, R.C.M. 1947, is amended to  
19 read as follows:

20 "12-509. Deposit of code — certification. (1) Upon  
21 completion of the printing and binding of the Montana Code  
22 Annotated, the code commissioner shall deposit a complete  
23 set with the secretary of state, along with a certification  
24 that the set comprises the Montana Code Annotated as  
25 authorized by this act, and enacted by the legislature.

1 (2) Within ~~ten (10)~~ days after that deposit, the  
2 secretary of state shall publish a notice thereof once in a  
3 newspaper of general circulation in each judicial district  
4 within the state, specifying in the notice the date on which  
5 the Montana Code Annotated ~~becomes~~ became effective, how the  
6 code may be purchased, and the cost thereof.

7 (3) The secretary of state or the code commissioner  
8 may further publicize the effective date of the Montana Code  
9 Annotated to the extent considered necessary or desirable by  
10 the commissioner."

11 Section 7. Section 12-510, R.C.M. 1947, is amended to  
12 read as follows:

13 "12-510. Format as approved by legislative council.

14 (1) The publication of updates to the Montana Code Annotated  
15 may be as a cumulative supplement, replacement volume, or in  
16 any other format approved by the legislative council.

17 (2) The supplements or replacements shall be certified  
18 and reported to the legislature by the legislative council;  
19 approved, and enacted by the legislature as prima facie the  
20 official laws of Montana; published, copyrighted, and  
21 deposited with the secretary of state; and ~~shall be~~ referred  
22 to as the Montana Code Annotated. The supplements and  
23 replacements shall become effective on the date deposited  
24 with and certified to the secretary of state.

25 (3) The legislative council may issue such

1 supplementary and ancillary publications as it considers  
2 necessary or desirable in aid of the general use and  
3 purposes of the Montana Code Annotated and the supplements  
4 or replacements thereto."

5 Section 8. This act is effective on its passage and  
6 approval.

-End-

Approved by Committee  
on Judiciary

1 SENATE BILL NO. 20  
 2 INTRODUCED BY HAZELBAKER  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS  
 5 RELATING TO THE RECODIFICATION OF THE REVISED CODES OF  
 6 MONTANA, 1947; AMENDING SECTIONS 12-501, 12-505, 12-506,  
 7 12-507, 12-509, AND 12-510, R.C.M. 1947; AND PROVIDING AN  
 8 IMMEDIATE EFFECTIVE DATE."  
 9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 Section 1. Section 12-501, R.C.M. 1947, is amended to  
 12 read as follows:  
 13 "12-501. Definitions. As used in this act the  
 14 following definitions apply:  
 15 (1) ~~"Codes"~~ "Code" or "codes" means the Revised Codes  
 16 of Montana, 1947, the pocket supplements thereto, and the  
 17 replacement volumes.  
 18 (2) "Recodify" means to compile, arrange, rearrange,  
 19 and prepare for publication. It includes, without changing  
 20 the meaning, effect, or intent of any law:  
 21 (a) ~~adopting a uniform system of~~ correcting or  
 22 changing punctuation, capitalization, spelling, grammatical  
 23 construction, and numbering as required by uniform literary  
 24 and bill drafting practice;  
 25 (b) substituting the appropriate new code ~~section~~

1 division reference for reference to a section of, to a part  
 2 of, or to an entire an "act";  
 3 (c) substituting calendar date for "effective date",,  
 4 "hereafter", and similar terms;  
 5 (d) creating new titles, chapters, parts, sections, or  
 6 other divisions of the code;  
 7 (e) changing or inserting language made necessary  
 8 because of rearrangement;  
 9 (f) eliminating redundant words;  
 10 (g) when given direction or authority by another  
 11 statute, correcting inaccurate or obsolete references to:  
 12 (i) titles of officers or agencies, such as those  
 13 changed by executive reorganization statutes;  
 14 (ii) other code sections, such as those which have been  
 15 repealed or repealed and replaced;  
 16 (h) changing inaccurate terminology to comply with  
 17 statutory definitions or short form amendments, such as  
 18 those found in 19-122 or 93-411;  
 19 (i) whether originally written by the legislature or  
 20 by the code publisher, changing or creating section captions  
 21 (catch lines) to clearly reflect the content of the  
 22 section."  
 23 Section 2. Section 12-505, R.C.M. 1947, is amended to  
 24 read as follows:  
 25 "12-505. Code commissioner duties. Subject (1) The

1 code commissioner is subject to the general supervision and  
 2 policy of the legislative council, ~~the code commissioner~~  
 3 ~~shall~~

4 ~~(1) prior~~ (2) Prior to January 1, 1979, the code  
 5 commissioner shall recodify all the laws of a general and  
 6 permanent nature appearing in the codes and session laws and  
 7 prepare ~~the same~~ them for publication;

8 ~~(2) prior~~ (3) Prior to January 1, 1979, the  
 9 commissioner shall prepare and submit to the legislature a  
 10 report which is certified by the commissioner as the  
 11 "Official Report of the Montana Code Commissioner", together  
 12 with a bill enacting the Montana Code Annotated. A copy of  
 13 the report and bill shall be deposited with the secretary  
 14 of state. The report shall explain and indicate, in tabular  
 15 or other form, all changes made during recodification, other  
 16 than punctuation and capitalization, to clearly indicate the  
 17 character of each change;

18 ~~(3) prior~~ (4) Prior to November 1, 1976, and prior to  
 19 November 1 of each year thereafter, the commissioner shall  
 20 prepare and submit to the legislative council a report, in  
 21 tabular or other form, indicating the commissioner's  
 22 recommendations for legislation which will:

- 23 (a) eliminate archaic or outdated laws;  
 24 (b) eliminate obsolete or redundant wording of laws;  
 25 (c) eliminate any duplications in law and any laws

1 repealed directly or by implication;

2 (d) clarify existing laws;

3 (e) correct errors and inconsistencies within the  
 4 laws;

5 ~~(f) correct inaccurate references to titles of~~  
 6 ~~officers or agencies or to other statutes as may be~~  
 7 ~~necessary to obtain consistency with current law;~~

8 ~~(4)~~ (5) The commissioner shall cause to be prepared for  
 9 inclusion, at the end of each section of the statutes,  
 10 publication with the Montana Code Annotated the following  
 11 material:

12 (a) ~~reference to the statutory~~ Statutory history of  
 13 ~~the each code~~ section;

14 (b) ~~annotations~~ Annotations of state and federal court  
 15 decisions relating to the subject matter of the ~~section~~  
 16 code; and

17 (c) ~~such~~ Such editorial notes, cross-references, and  
 18 other matter as the commissioner considers desirable or  
 19 advantageous;

20 ~~(5) cause to be prepared for publication with the~~  
 21 ~~Montana Codes Annotated;~~

22 ~~(a) Magna Charta;~~

23 ~~(b)~~ (d) The Declaration of Independence;

24 ~~(c)~~ (e) The Constitution of the United States of  
 25 America and amendments thereto;



1 ~~(d)~~ (f) Acts of ~~Congress~~ congress relating to the  
2 authentication of laws and records;

3 ~~(e)~~ (g) The Organic Act of the Territory of Montana;

4 ~~(f)~~ (h) The Enabling Act;

5 ~~(g)~~ (i) The ~~1889 and 1972~~ constitutions The 1972  
6 Constitution of the state of Montana and any amendments  
7 thereto;

8 ~~(h)~~ (j) The Ordinances relating to federal relations  
9 and elections;

10 ~~(i)~~ (k) Rules of civil, criminal, and appellate  
11 procedure and such other rules of procedure as the Montana  
12 supreme court may adopt; and

13 ~~(j)~~ (l) A complete subject index, a popular name index,  
14 and comparative disposition tables or cross reference  
15 indices indexes relating sections of the Montana Code  
16 Annotated to prior compilations and session laws.

17 (6) After publication of the Montana Code Annotated  
18 the code commissioner shall:

19 (a) annotate, arrange, ~~assign catchlines and code~~  
20 ~~section numbers to~~ and prepare for publication all laws of a  
21 general and permanent nature enacted at each legislative  
22 session ~~and assign catch lines and code section numbers to~~  
23 each new section;

24 (b) continue to codify, index, arrange, rearrange,  
25 ~~divisions~~ and generally update the Montana Code Annotated to

1 maintain an orderly and logical arrangement of the laws in  
2 order to avoid future need for bulk revision;

3 (c) prepare and submit to each legislature a report  
4 which is certified as the "Official Report of the Montana  
5 Code Commissioner -- (year)" which indicates, in tabular or  
6 other ~~form~~ form, all changes made during the continuous  
7 recodification, other than punctuation and capitalization,  
8 to clearly indicate the character of each change made since  
9 the first publication of the Montana Code Annotated;

10 (7) ~~from~~ From time to time the commissioner shall  
11 confer with members of the judiciary and the state bar  
12 relative to recodification procedures."

13 Section 3. There is a new R.C.M. section numbered  
14 12-505.1 that reads as follows:

15 12-505.1. Notice of effective date. Within 10 days  
16 after the bill enacting the Montana Code Annotated becomes  
17 effective, the secretary of state shall publish a notice  
18 thereof once in a newspaper of general circulation in each  
19 judicial district within the state, specifying in the notice  
20 the effective date of the code and the cost of a copy of the  
21 code.

22 Section 4. Section 12-506, R.C.M. 1947, is amended to  
23 read as follows:

24 "12-506. Effect of Montana Code Annotated. (1) The  
25 Montana Code Annotated shall be enacted as a ~~repeal and a~~

1 reenactment of the Revised Codes of Montana, 1947, and the  
2 supplements thereto.

3 (2) The enactment of the Montana Code Annotated shall  
4 not:

5 ~~(a) repeal all statutes and parts of statutes of a~~  
6 ~~general and permanent nature not contained in the Montana~~  
7 ~~Code Annotated;~~

8 ~~(b)(a) not~~ revive a law repealed or superseded before  
9 the effective date of the Montana Code Annotated;

10 ~~(c)(b) not~~ affect an act done, right accrued, or  
11 obligation incurred or imposed by law prior to the effective  
12 date of the Montana Code Annotated;

13 ~~(d)(c) not~~ affect any action, suit, or proceeding  
14 pending on such effective date;

15 (d) repeal statutes of a nongeneral, nonpermanent  
16 nature such as severability, construction, validating,  
17 repealing, or similar statutes omitted from the Montana Code  
18 Annotated.

19 (3) The Montana Code Annotated shall be given effect  
20 as a continuation of the Revised Codes of Montana and not as  
21 a new enactment. A defect in title of any act set out in  
22 prior laws and reenacted by the Montana Code Annotated is  
23 cured by such enactment.

24 (4) No implication or presumption of legislative  
25 construction is to be drawn from the classification ~~and~~ or

1 arrangement of the Montana Code Annotated.

2 (5) ~~Annotations, Unless specifically adopted as such~~  
3 ~~by the legislature, annotations, code commissioner notes,~~  
4 ~~and catch lines, or other editorial material to be included in~~  
5 the Montana Code Annotated may not be construed ~~to form a~~ as  
6 part of the legislative text but ~~to be~~ are only for the  
7 purpose of convenience, orderly arrangement, and  
8 information.

9 (6) In case of any inconsistency in meaning arising  
10 through omission or otherwise between the provisions of the  
11 Montana Code Annotated and the corresponding portion of  
12 prior legislation THE OFFICIAL ENROLLED BILL ON FILE WITH  
13 THE SECRETARY OF STATE, effect shall be given to the prior  
14 legislation OFFICIAL ENROLLED BILL."

15 Section 5. Section 12-507, R.C.M. 1947, is amended to  
16 read as follows:

17 "12-507. Publications. (1) The legislative council  
18 with the advice of the code commissioner shall decide on the  
19 quantity, quality, style, format, and grade of all  
20 publications prior to having the department of  
21 administration contract for their publication.

22 (2) The methods of sale to the public of the Montana  
23 Code Annotated, and supplements or other subsequent and  
24 ancillary publications thereto, may be included as an  
25 alternative specification and bid, and as a part of a

1 contract to be let by bids by the department of  
2 administration.

3 (3) The sales price to the public shall be fixed by  
4 the legislative council but shall not exceed the cost price  
5 plus ~~twenty percent~~ (20%). All revenues generated from the  
6 sale to the public of the Montana Code Annotated shall be  
7 remitted to the state treasurer for the purpose of  
8 reimbursing the general fund for appropriations made for the  
9 use of the office and facilities of the legislative council  
10 under this act.

11 (4) Sets of the Montana Code Annotated purchased by  
12 the state ~~and its political subdivisions or local~~  
13 ~~governmental agencies that are supported by public funds~~  
14 shall be for the cost price of the sets.

15 ~~(5) The legislative council may distribute without~~  
16 ~~charge the Montana Code Annotated and supplements thereto to~~  
17 ~~state or local governmental agencies that are supported by~~  
18 ~~public funds."~~

19 Section 6. Section 12-509, R.C.M. 1947, is amended to  
20 read as follows:

21 "12-509. Deposit of code — certification. (1) Upon  
22 completion of the printing and binding of the Montana Code  
23 Annotated, the code commissioner shall deposit a complete  
24 set with the secretary of state, along with a certification  
25 that the set comprises the Montana Code Annotated as

1 authorized by this act, and enacted by the legislature.

2 (2) Within ~~ten~~ (10) days after that deposit, the  
3 secretary of state shall publish a notice thereof once in a  
4 newspaper of general circulation in each judicial district  
5 within the state, specifying in the notice the date on which  
6 the Montana Code Annotated ~~becomes~~ became effective, how the  
7 code may be purchased, and the cost thereof.

8 (3) The secretary of state or the code commissioner  
9 may further publicize the effective date of the Montana Code  
10 Annotated to the extent considered necessary or desirable by  
11 the commissioner."

12 Section 7. Section 12-510, R.C.M. 1947, is amended to  
13 read as follows:

14 "12-510. Format as approved by legislative council.

15 (1) The publication of updates to the Montana Code Annotated  
16 may be as a cumulative supplement, replacement volume, or in  
17 any other format approved by the legislative council.

18 (2) The supplements or replacements shall be certified  
19 and reported to the legislature by the legislative council, and  
20 approved, and enacted by the legislature as prima facie the  
21 official laws of Montana, and published, copyrighted, and  
22 deposited with the secretary of state, and shall be referred  
23 to as the Montana Code Annotated. The supplements and  
24 replacements shall become effective on the date deposited  
25 with and certified to the secretary of state.

1           (3) The legislative council may issue such  
2 supplementary and ancillary publications as it considers  
3 necessary or desirable in aid of the general use and  
4 purposes of the Montana Code Annotated and the supplements  
5 or replacements thereto."

6           Section 8. This act is effective on its passage and  
7 approval.

-End-

## 1 SENATE BILL NO. 20

2 INTRODUCED BY HAZELBAKER

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS  
5 RELATING TO THE RECODIFICATION OF THE REVISED CODES OF  
6 MONTANA, 1947; AMENDING SECTIONS 12-501, 12-505, 12-506,  
7 12-507, 12-509, AND 12-510, R.C.M. 1947; AND PROVIDING AN  
8 IMMEDIATE EFFECTIVE DATE."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11 Section 1. Section 12-501, R.C.M. 1947, is amended to  
12 read as follows:13 "12-501. Definitions. As used in this act the  
14 following definitions apply:15 (1) ~~"Codes"~~ "Code" or "codes" means the Revised Codes  
16 of Montana, 1947, the pocket supplements thereto, and the  
17 replacement volumes.18 (2) "Recodify" means to compile, arrange, rearrange,  
19 and prepare for publication. It includes, without changing  
20 the meaning, effect, or intent of any law:21 (a) ~~adopting a uniform system of~~ correcting or  
22 changing punctuation, capitalization, spelling, grammatical  
23 construction, and numbering as required by uniform literary  
24 and bill drafting practice;25 (b) substituting the appropriate new code section1 division reference for reference to a section of, to a part  
2 of, or to an entire ~~an~~ "act";3 (c) substituting calendar date for "effective date",  
4 "hereafter", and similar terms;5 (d) creating new titles, chapters, parts, sections, or  
6 other divisions of the code;  
7 (e) changing or inserting language made necessary8 because of rearrangement;9 (f) eliminating redundant words;10 (g) when given direction or authority by another  
11 statute, correcting inaccurate or obsolete references to:12 (i) titles of officers or agencies, such as those  
13 changed by executive reorganization statutes;14 (ii) other code sections, such as those which have been  
15 repealed or repealed and replaced;16 (h) changing inaccurate terminology to comply with  
17 statutory definitions or short form amendments, such as  
18 those found in 19-122 or 93-411;19 (i) whether originally written by the legislature or  
20 by the code publisher, changing or creating section captions  
21 (catch lines) to clearly reflect the content of the  
22 section."23 Section 2. Section 12-505, R.C.M. 1947, is amended to  
24 read as follows:25 "12-505. Code commissioner duties. ~~Subject (1) The~~

1 code commissioner is subject to the general supervision and  
 2 policy of the legislative council, ~~the code commissioner~~  
 3 ~~shall~~

4 ~~(1) prior~~ (2) Prior to January 1, 1979, ~~the code~~  
 5 commissioner shall recodify all the laws of a general and  
 6 permanent nature appearing in the codes and session laws and  
 7 prepare ~~the same~~ them for publication;

8 ~~(2) prior~~ (3) Prior to January 1, 1979, ~~the~~  
 9 commissioner shall prepare and submit to the legislature a  
 10 report which is certified by the commissioner as the  
 11 "Official Report of the Montana Code Commissioner", together  
 12 with a bill enacting the Montana Code Annotated. A copy of  
 13 the report and bill shall be deposited with the secretary  
 14 of state. The report shall explain and indicate, in tabular  
 15 or other form, all changes made during recodification, other  
 16 than punctuation and capitalization, to clearly indicate the  
 17 character of each change;

18 ~~(3) prior~~ (4) Prior to November 1, 1976, and prior to  
 19 November 1 of each year thereafter, ~~the commissioner shall~~  
 20 prepare and submit to the legislative council a report, in  
 21 tabular or other form, indicating the commissioner's  
 22 recommendations for legislation which will:

- 23 (a) eliminate archaic or outdated laws;  
 24 (b) eliminate obsolete or redundant wording of laws;  
 25 (c) eliminate any duplications in law and any laws

1 repealed directly or by implication;

2 (d) clarify existing laws;

3 (e) correct errors and inconsistencies within the  
 4 laws;

5 ~~(f) correct inaccurate references to titles of~~  
 6 ~~officers or agencies or to other statutes as may be~~  
 7 ~~necessary to obtain consistency with current law;~~

8 ~~(4)~~ (5) The commissioner shall cause to be prepared for  
 9 ~~inclusion, at the end of each section of the statutes,~~  
 10 publication with the Montana Code Annotated the following  
 11 material:

12 (a) ~~reference to the statutory~~ Statutory history of  
 13 ~~the each code~~ section;

14 (b) ~~annotations~~ Annotations of state and federal court  
 15 decisions relating to the subject matter of the ~~section~~  
 16 code; and

17 (c) ~~such~~ Such editorial notes, cross-references, and  
 18 other matter as the commissioner considers desirable or  
 19 advantageous;

20 ~~(5) cause to be prepared for publication with the~~  
 21 ~~Montana Codes Annotated;~~

22 ~~(a) Magna Charta;~~

23 ~~(b)~~ (d) The Declaration of Independence;

24 ~~(c)~~ (e) The Constitution of the United States of  
 25 America and amendments thereto;

1 ~~(d)~~(f) Acts of ~~Congress~~ congress relating to the  
2 authentication of laws and records;

3 ~~(e)~~(g) The Organic Act of the Territory of Montana;

4 ~~(f)~~(h) The Enabling Act;

5 ~~(g)~~(i) ~~The 1889 and 1972 constitutions~~ The 1972  
6 Constitution of the state of Montana and any amendments  
7 thereto;

8 ~~(h)~~(j) The Ordinances relating to federal relations  
9 and elections;

10 ~~(i)~~(k) Rules of civil, criminal, and appellate  
11 procedure and such other rules of procedure as the Montana  
12 supreme court may adopt; and

13 ~~(j)~~(l) A complete subject index, a popular name index,  
14 and comparative disposition tables or cross reference  
15 indices indexes relating sections of the Montana Code  
16 Annotated to prior compilations and session laws.

17 (6) After publication of the Montana Code Annotated  
18 the code commissioner shall:

19 (a) annotate, arrange, assign catchlines and code  
20 section numbers to and prepare for publication all laws of a  
21 general and permanent nature enacted at each legislative  
22 session and assign catch lines and code section numbers to  
23 each new section;

24 (b) continue to codify, index, arrange, rearrange,  
25 divisions and generally update the Montana Code Annotated to

1 maintain an orderly and logical arrangement of the laws in  
2 order to avoid future need for bulk revision;

3 (c) prepare and submit to each legislature a report  
4 which is certified as the "Official Report of the Montana  
5 Code Commissioner — (year)" which indicates, in tabular or  
6 other ~~forms~~ form, all changes made during the continuous  
7 recodification, other than punctuation and capitalization,  
8 to clearly indicate the character of each change made since  
9 the first publication of the Montana Code Annotated;

10 (7) ~~from~~ From time to time the commissioner shall  
11 confer with members of the judiciary and the state bar  
12 relative to recodification procedures."

13 Section 3. There is a new R.C.M. section numbered  
14 12-505.1 that reads as follows:

15 12-505.1. Notice of effective date. Within 10 days  
16 after the bill enacting the Montana Code Annotated becomes  
17 effective, the secretary of state shall publish a notice  
18 thereof once in a newspaper of general circulation in each  
19 judicial district within the state, specifying in the notice  
20 the effective date of the code and the cost of a copy of the  
21 code.

22 Section 4. Section 12-506, R.C.M. 1947, is amended to  
23 read as follows:

24 "12-506. Effect of Montana Code Annotated. (1) The  
25 Montana Code Annotated shall be enacted as a ~~repeal and a~~

1 reenactment of the Revised Codes of Montana, 1947, and the  
2 supplements thereto.

3 (2) The enactment of the Montana Code Annotated shall  
4 not:

5 ~~(a) repeal all statutes and parts of statutes of a~~  
6 ~~general and permanent nature not contained in the Montana~~  
7 ~~Code Annotated;~~

8 ~~(b) (a) not~~ revive a law repealed or superseded before  
9 the effective date of the Montana Code Annotated;

10 ~~(c) (b) not~~ affect an act done, right accrued, or  
11 obligation incurred or imposed by law prior to the effective  
12 date of the Montana Code Annotated;

13 ~~(d) (c) not~~ affect any action, suit, or proceeding  
14 pending on such effective date;

15 (d) repeal statutes of a nongeneral, nonpermanent  
16 nature such as severability, construction, validating,  
17 repealing, or similar statutes omitted from the Montana Code  
18 Annotated.

19 (3) The Montana Code Annotated shall be given effect  
20 as a continuation of the Revised Codes of Montana and not as  
21 a new enactment. A defect in title of any act set out in  
22 prior laws and reenacted by the Montana Code Annotated is  
23 cured by such enactment.

24 (4) No implication or presumption of legislative  
25 construction is to be drawn from the classification ~~and~~ or

1 arrangement of the Montana Code Annotated.

2 (5) ~~Annotations, Unless specifically adopted as such~~  
3 ~~by the legislature, annotations, code commissioner notes,~~  
4 ~~and catch lines, or other editorial material to included in~~  
5 the Montana Code Annotated may not be construed ~~to form a~~ as  
6 part of the legislative text but ~~to be~~ are only for the  
7 purpose of convenience, orderly arrangement, and  
8 information.

9 (6) In case of any inconsistency in meaning arising  
10 through omission or otherwise between the provisions of the  
11 Montana Code Annotated and the corresponding portion of  
12 prior legislation THE OFFICIAL ENROLLED BILL ON FILE WITH  
13 THE SECRETARY OF STATE, effect shall be given to the prior  
14 legislation OFFICIAL ENROLLED BILL."

15 Section 5. Section 12-507, R.C.M. 1947, is amended to  
16 read as follows:

17 "12-507. Publications. (1) The legislative council  
18 with the advice of the code commissioner shall decide on the  
19 quantity, quality, style, format, and grade of all  
20 publications prior to having the department of  
21 administration contract for their publication.

22 (2) The methods of sale to the public of the Montana  
23 Code Annotated, and supplements or other subsequent and  
24 ancillary publications thereto, may be included as an  
25 alternative specification and bid, and as a part of a



1 contract to be let by bids by the department of  
2 administration.

3 (3) The sales price to the public shall be fixed by  
4 the legislative council but shall not exceed the cost price  
5 plus ~~twenty percent~~ (20%). All revenues generated from the  
6 sale to the public of the Montana Code Annotated shall be  
7 remitted to the state treasurer for the purpose of  
8 reimbursing the general fund for appropriations made for the  
9 use of the office and facilities of the legislative council  
10 under this act.

11 (4) Sets of the Montana Code Annotated purchased by  
12 the state ~~and its political subdivisions or local~~  
13 governmental agencies that are supported by public funds  
14 shall be for the cost price of the sets.

15 ~~(5) The legislative council may distribute without~~  
16 ~~charge the Montana Code Annotated and supplements thereto to~~  
17 ~~state or local governmental agencies that are supported by~~  
18 ~~public funds."~~

19 Section 6. Section 12-509, R.C.M. 1947, is amended to  
20 read as follows:

21 "12-509. Deposit of code — certification. (1) Upon  
22 completion of the printing and binding of the Montana Code  
23 Annotated, the code commissioner shall deposit a complete  
24 set with the secretary of state, along with a certification  
25 that the set comprises the Montana Code Annotated as

1 authorized by this act, and enacted by the legislature.

2 (2) Within ~~ten~~ (10) days after that deposit, the  
3 secretary of state shall publish a notice thereof once in a  
4 newspaper of general circulation in each judicial district  
5 within the state, specifying in the notice the date on which  
6 the Montana Code Annotated ~~becomes~~ became effective, how the  
7 code may be purchased, and the cost thereof.

8 (3) The secretary of state or the code commissioner  
9 may further publicize the effective date of the Montana Code  
10 Annotated to the extent considered necessary or desirable by  
11 the commissioner."

12 Section 7. Section 12-510, R.C.M. 1947, is amended to  
13 read as follows:

14 "12-510. Format as approved by legislative council.

15 (1) The publication of updates to the Montana Code Annotated  
16 may be as a cumulative supplement, replacement volume, or in  
17 any other format approved by the legislative council.

18 (2) The supplements or replacements shall be certified  
19 and reported to the legislature by the legislative council,  
20 approved, and enacted by the legislature as prima facie the  
21 official laws of Montana, published, copyrighted, and  
22 deposited with the secretary of state, and ~~shall be~~ referred  
23 to as the Montana Code Annotated. The supplements and  
24 replacements shall become effective on the date deposited  
25 with and certified to the secretary of state.

1           (3) The legislative council may issue such  
2 supplementary and ancillary publications as it considers  
3 necessary or desirable in aid of the general use and  
4 purposes of the Montana Code Annotated and the supplements  
5 or replacements thereto."

6           Section 8. This act is effective on its passage and  
7 approval.

-End-

## 1 SENATE BILL NO. 20

2 INTRODUCED BY HAZELBAKER

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS  
5 RELATING TO THE RECODIFICATION OF THE REVISED CODES OF  
6 MONTANA, 1947; AMENDING SECTIONS 12-501, 12-505, 12-506,  
7 12-507, 12-509, AND 12-510, R.C.M. 1947; AND PROVIDING AN  
8 IMMEDIATE EFFECTIVE DATE."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11 Section 1. Section 12-501, R.C.M. 1947, is amended to  
12 read as follows:13 "12-501. Definitions. As used in this act the  
14 following definitions apply:15 (1) "~~Codes~~" "Code" or "codes" means the Revised Codes  
16 of Montana, 1947, the pocket supplements thereto, and the  
17 replacement volumes.18 (2) "Recodify" means to compile, arrange, rearrange,  
19 and prepare for publication. It includes, without changing  
20 the meaning, effect, or intent of any law:21 (a) ~~adopting a uniform system of~~ correcting or  
22 changing punctuation, capitalization, spelling, grammatical  
23 construction, and numbering as required by uniform literary  
24 and bill drafting practice;25 (b) substituting the appropriate ~~new~~ code section

REFERENCE BILL

1 division reference for reference to a section of, to a part  
2 of, or to an entire an "act";3 (c) substituting calendar date for "effective date";  
4 "hereafter", and similar terms;5 (d) creating new titles, chapters, parts, sections, or  
6 other divisions of the code;;7 (e) changing or inserting language made necessary  
8 because of rearrangement;9 (f) eliminating redundant words;10 (g) when given direction or authority by another  
11 statute, correcting inaccurate or obsolete references to;12 (i) titles of officers or agencies, such as those  
13 changed by executive reorganization statutes;14 (ii) other code sections, such as those which have been  
15 repealed or repealed and replaced;16 (h) changing inaccurate terminology to comply with  
17 statutory definitions or short form amendments, such as  
18 those found in 19-122 or 93-411;19 (i) whether originally written by the legislature or  
20 by the code publisher, changing or creating section captions  
21 (catch lines) to clearly reflect the content of the  
22 section."23 Section 2. Section 12-505, R.C.M. 1947, is amended to  
24 read as follows:25 "12-505. Code commissioner duties. Subject (1) The

1 ~~code commissioner is subject~~ to the general supervision and  
 2 policy of the legislative council. ~~the code commissioner~~  
 3 ~~shall:~~

4 ~~(1) prior~~ (2) Prior to January 1, 1979, ~~the code~~  
 5 commissioner shall recodify all the laws of a general and  
 6 permanent nature appearing in the codes and session laws and  
 7 prepare ~~the same~~ them for publication;

8 ~~(2) prior~~ (3) Prior to January 1, 1979, ~~the~~  
 9 commissioner shall prepare and submit to the legislature a  
 10 report which is certified by the commissioner as the  
 11 "Official Report of the Montana Code Commissioner" together  
 12 with a bill enacting the Montana Code Annotated. A copy of  
 13 the report and bill shall be deposited with the secretary  
 14 of state. The report shall explain and indicate, in tabular  
 15 or other form, all changes made during recodification, other  
 16 than punctuation and capitalization, to clearly indicate the  
 17 character of each change;

18 ~~(3) prior~~ (4) Prior to November 1, 1976, and prior to  
 19 November 1 of each year thereafter, ~~the commissioner shall~~  
 20 prepare and submit to the legislative council a report, in  
 21 tabular or other form, indicating the commissioner's  
 22 recommendations for legislation which will:

- 23 (a) eliminate archaic or outdated laws;  
 24 (b) eliminate obsolete or redundant wording of laws;  
 25 (c) eliminate any duplications in law and any laws

1 repealed directly or by implication;

2 (d) clarify existing laws;

3 (e) correct errors and inconsistencies within the  
 4 laws;

5 ~~(f) correct inaccurate references to titles of~~  
 6 ~~officers or agencies or to other statutes as may be~~  
 7 ~~necessary to obtain consistency with current law;~~

8 (4)(5) The commissioner shall cause to be prepared for  
 9 inclusion, at the end of each section of the statutes,  
 10 publication with the Montana Code Annotated the following  
 11 material:

12 (a) ~~reference to the statutory~~ Statutory history of  
 13 the each code section;

14 (b) ~~annotations~~ Annotations of state and federal court  
 15 decisions relating to the subject matter of the section  
 16 code; and

17 (c) ~~such~~ Such editorial notes, cross-references, and  
 18 other matter as the commissioner considers desirable or  
 19 advantageous;

20 (5) ~~cause to be prepared for publication with the~~  
 21 ~~Montana Codes Annotated:~~

22 (a) ~~Magna Charta;~~

23 (b)(d) The Declaration of Independence;

24 (c)(e) The Constitution of the United States of  
 25 America and amendments thereto;

1        ~~(d)(f)~~ Acts of Congress congress relating to the  
2 authentication of laws and records;

3        ~~(e)(g)~~ The Organic Act of the Territory of Montana;

4        ~~(f)(h)~~ The Enabling Act;

5        ~~(g)(i)~~ ~~The--1889--and--1972--constitutions~~ The 1972  
6 Constitution of the state of Montana and any amendments  
7 thereto;

8        ~~(h)(j)~~ The Ordinances relating to federal relations  
9 and elections;

10       ~~(i)(k)~~ Rules of civil, criminal, and appellate  
11 procedure and such other rules of procedure as the Montana  
12 supreme court may adopt; and

13       ~~(j)(l)~~ A complete subject index, a popular name index,  
14 and comparative disposition tables or cross reference  
15 indices indexes relating sections of the Montana Code  
16 Annotated to prior compilations and session laws.

17       (6) After publication of the Montana Code Annotated  
18 the code commissioner shall:

19       (a) annotate, arrange, ~~assign--catchlines--and--code~~  
20 ~~section-numbers-to~~ and prepare for publication all laws of a  
21 general and permanent nature enacted at each legislative  
22 session and assign catch lines and code section numbers to  
23 each new section;

24       (b) continue to codify, index, arrange, rearrange,  
25 divisions and generally update the Montana Code Annotated to

1 maintain an orderly and logical arrangement of the laws in  
2 order to avoid future need for bulk revision;

3       (c) prepare and submit to each legislature a report  
4 which is certified as the "Official Report of the Montana  
5 Code Commissioner -- (year)" which indicates, in tabular or  
6 other forms forms, all changes made during the continuous  
7 recodification, other than punctuation and capitalization,  
8 to clearly indicate the character of each change made since  
9 the first publication of the Montana Code Annotated~~;~~

10       (7) ~~from~~ From time to time the commissioner shall  
11 confer with members of the judiciary and the state bar  
12 relative to recodification procedures."

13       Section 3. There is a new R.C.M. section numbered  
14 12-505.1 that reads as follows:

15       12-505.1. Notice of effective date. Within 10 days  
16 after the bill enacting the Montana Code Annotated becomes  
17 effective, the secretary of state shall publish a notice  
18 thereof once in a newspaper of general circulation in each  
19 judicial district within the state, specifying in the notice  
20 the effective date of the code and the cost of a copy of the  
21 code.

22       Section 4. Section 12-506, R.C.M. 1947, is amended to  
23 read as follows:

24       "12-506. Effect of Montana Code Annotated. (1) The  
25 Montana Code Annotated shall be enacted as a ~~repeat--and--~~

1 reenactment of the Revised Codes of Montana, 1947, and the  
2 supplements thereto.

3 (2) The enactment of the Montana Code Annotated shall  
4 not:

5 ~~(a) repeat or part of statutes and parts of statutes of a~~  
6 ~~general and permanent nature not contained in the Montana~~  
7 ~~Code Annotated;~~

8 ~~(b)(1) not revive a law repealed or superseded before~~  
9 ~~the effective date of the Montana Code Annotated;~~

10 ~~(c)(1) not affect an act done, right accrued, or~~  
11 ~~obligation incurred or imposed by law prior to the effective~~  
12 ~~date of the Montana Code Annotated;~~

13 ~~(d)(1) not affect any action, suit, or proceeding~~  
14 ~~pending on such effective date;~~

15 ~~(e) repeal statutes of a nongeneral, nonpermanent~~  
16 ~~nature such as severability, construction, validating,~~  
17 ~~repealing, or similar statutes omitted from the Montana Code~~  
18 ~~Annotated.~~

19 (3) The Montana Code Annotated shall be given effect  
20 as a continuation of the Revised Codes of Montana and not as  
21 a new enactment. A defect in title of any act set out in  
22 prior laws and reenacted by the Montana Code Annotated is  
23 cured by such enactment.

24 (4) No implication or presumption of legislative  
25 construction is to be drawn from the classification and or

1 arrangement of the Montana Code Annotated.

2 (5) Annotations, unless specifically adopted as such  
3 by the legislature, annotations, code commissioner notes,  
4 and catch lines, or other editorial material to included in  
5 the Montana Code Annotated may not be construed to form a part  
6 part of the legislative text but to be are only for the  
7 purpose of convenience, orderly arrangement, and  
8 information.

9 (6) In case of any inconsistency in meaning arising  
10 through omission or otherwise between the provisions of the  
11 Montana Code Annotated and the corresponding portion of  
12 prior legislation THE OFFICIAL ENROLLED BILL ON FILE WITH  
13 THE SECRETARY OF STATE, effect shall be given to the prior  
14 legislation OFFICIAL ENROLLED BILL."

15 Section 5. Section 12-507, R.C.M. 1947, is amended to  
16 read as follows:

17 "12-507. Publications. (1) The legislative council  
18 with the advice of the code commissioner shall decide on the  
19 quantity, quality, style, format, and grade of all  
20 publications prior to having the department of  
21 administration contract for their publication.

22 (2) The methods of sale to the public of the Montana  
23 Code Annotated and supplements or other subsequent and  
24 ancillary publications thereto may be included as an  
25 alternative specification and bid and as a part of a

1 contract to be let by bids by the department of  
2 administration.

3 (3) The sales price to the public shall be fixed by  
4 the legislative council but shall not exceed the cost price  
5 plus ~~twenty-percent-(20%)~~. All revenues generated from the  
6 sale to the public of the Montana Code Annotated shall be  
7 remitted to the state treasurer for the purpose of  
8 reimbursing the general fund for appropriations made for the  
9 use of the office and facilities of the legislative council  
10 under this act.

11 (4) Sets of the Montana Code Annotated purchased by  
12 the state ~~and its political subdivisions or local~~  
13 governmental agencies that are supported by public funds  
14 shall be for the cost price of the sets.

15 ~~(5) The legislative council may distribute without~~  
16 ~~charge the Montana Code Annotated and supplements thereto to~~  
17 ~~state or local governmental agencies that are supported by~~  
18 ~~public funds."~~

19 Section 6. Section 12-509, R.C.M. 1947, is amended to  
20 read as follows:

21 "12-509. Deposit of code -- certification. (1) Upon  
22 completion of the printing and binding of the Montana Code  
23 Annotated, the code commissioner shall deposit a complete  
24 set with the secretary of state, along with a certification  
25 that the set comprises the Montana Code Annotated as

1 authorized by this act and enacted by the legislature.

2 (2) Within ~~ten-(10)~~ days after that deposit, the  
3 secretary of state shall publish a notice thereof once in a  
4 newspaper of general circulation in each judicial district  
5 within the state, specifying in the notice the date on which  
6 the Montana Code Annotated ~~becomes~~ became effective, how the  
7 code may be purchased, and the cost thereof.

8 (3) The secretary of state or the code commissioner  
9 may further publicize the effective date of the Montana Code  
10 Annotated to the extent considered necessary or desirable by  
11 the commissioner."

12 Section 7. Section 12-510, R.C.M. 1947, is amended to  
13 read as follows:

14 "12-510. Format as approved by legislative council.

15 (1) The publication of updates to the Montana Code Annotated  
16 may be as a cumulative supplement, replacement volume, or in  
17 any other format approved by the legislative council.

18 (2) The supplements or replacements shall be certified  
19 and reported to the legislature by the legislative council, and  
20 approved and enacted by the legislature as prima facie the  
21 official laws of Montana, published, copyrighted, and  
22 deposited with the secretary of state, and ~~shall be~~ referred  
23 to as the Montana Code Annotated. The supplements and  
24 replacements shall become effective on the date deposited  
25 with and certified to the secretary of state.

1           (3) The legislative council may issue such  
2 supplementary and ancillary publications as it considers  
3 necessary or desirable in aid of the general use and  
4 purposes of the Montana Code Annotated and the supplements  
5 or replacements thereto."

6           Section 8. This act is effective on its passage and  
7 approval.

-End-