# HB 57 INTRODUCED BY SALES PROHIBITING PREFERENCES AND ADDING AGE AS NONDISCRIMINATION CLASSIFICATION

1/05 INTRODUCED 1/05 REFERRED TO JUDICIARY 1/31 FISCAL NOTE REQUESTED 2/09 FISCAL NOTE RECEIVED 2/17 HEARING

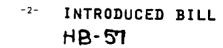
2/20 TABLED IN COMMITTEE

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1	HOUSE BILL NO. 57
2	INTRODUCED BY SALES
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING AGE IN THE
5	NONDISCRIMINATION PROVISION OF ARTICLE II, SECTION 4, OF THE
6	MONTANA CONSTITUTION; PROHIBITING PREFERENTIAL TREATMENT OF
7	ANY PERSON BASED ON RACE, COLOR, SEX, CULTURE, SOCIAL ORIGIN
В	OR CONDITION, POLITICAL OR RELIGIOUS IDEAS, OR AGE; AMENDING
9	ARTICLE II, SECTION 4, OF THE MONTANA CONSTITUTION;
10	PROVIDING NOTICE OF A TWO-THIRDS VOTE REQUIREMENT; PROVIDING
11	AN EFFECTIVE DATE; AND SUBMITTING THE AMENDMENT TO THE
12	ELECTORATE."
13	
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
15	Section 1. Article II, section 4, of The Constitution
16	of the State of Montana is amended to read:
17	"Section 4. Individual dignity. The dignity of the
18	human being is inviolable. No person shall be denied the
19	equal protection of the laws. Neither the state nor any
20	person, firm, corporation, or institution shall discriminate
21	against or give preferential treatment to any person in the
22	exercise of his civil or political rights on account of
23	race, color, sex, culture, social origin or condition, or
24	political or religious ideas, or, except as otherwise
25	provided in this constitution, age."

2	section 1 amends The Constitution of the State of Montana, a
3	vote of two-thirds of all the members of the legislature is
4	required for enactment of section 1.
5	NEW SECTION. Section 3. Effective date. If approved
6	by the electorate, this amendment is effective December 1,
7	1988.
8	NEW SECTION. Section 4. Submission to electorate.
9	This amendment shall be submitted to the electors of Montana
10	at the general election to be held November 8, 1988, by
11	printing on the ballot the full title of this act and the
12	following:
13	FOR adding age to the antidiscrimination provision
14	in Article II, section 4, of the Montana
15	Constitution and for prohibiting preferential
16	treatment of any person in the exercise of his civil
17	or political rights on account of race, color, sex
18	culture, social origin or condition, political or
19	religious ideas, or age.
20	AGAINST adding age to the antidiscrimination
21	provision in Article II, section 4, of the Montana
22	Constitution and against prohibiting preferential
23	treatment of any person in the exercise of his civil
24	or political rights on account of race, color, sex,
25	culture, social origin or condition, political or

NEW SECTION. Section 2. Vote



required.

Because

LC 0268/01

l religious ideas, or age.

-End-

## STATE OF MONTANA - FISCAL NOTE

#### Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB057, as introduced.

# DESCRIPTION OF PROPOSED LEGISLATION:

An act including age in the non-discrimination provision of Article II, Section 4, of the Montana Constitution; prohibiting preferential treatment of any person based on race, color, sex, culture, social origin or condition, political or religious ideas, or age; amending Article II, Section 4, of the Montana Constitution; providing an effective date; and submitting the amendment to the electorate.

## ASSUMPTIONS:

1. The proposed bill will have no fiscal impact. Fiscal impact would occur if the constitutional amendment were passed by voters.

## FISCAL IMPACT:

None.

## LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

If the constitutional amendment were to be adopted, a significant number of state programs would have to be revised with the potential of significant impacts, for example: All the state retirement systems "discriminate" on the basis of age. Older retirees receive unreduced retirement amounts, younger retirees have their retirement reduced based on age. Retirement laws would have to be rewritten or higher benefits paid to younger retirees. SRS has numerous programs that provide benefits on the basis of age and income. Those benefits would have to be provided all individuals who met the income criteria regardless of age at additional costs or the benefit level would have to be reduced. It is impossible to quantify the potential costs.

DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

WALTER SALES, PRIMARY SPONSOR

Fiscal Note for HB057, as introduced.

HB 57