PD0057_RW

Remove Supreme Court rulemaking authority related to attorneys - 9/16 version

**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VII, SECTION 2 OF THE MONTANA CONSTITUTION, TO REMOVE RULEMAKING AUTHORITY FROM THE SUPREME COURT TO GOVERN ADMISSION TO THE BAR AND THE CONDUCT OF ITS MEMBERS; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Article VII, section 2, of The Constitution of the State of Montana is amended to read:

"**Section 2. Supreme court jurisdiction.** (1) The supreme court has appellate jurisdiction and may issue, hear, and determine writs appropriate thereto. It has original jurisdiction to issue, hear, and determine writs of habeas corpus and such other writs as may be provided by law.

(2) It has general supervisory control over all other courts.

(3) It may make rules governing appellate procedure~~,~~ and practice and procedure for all other courts, ~~admission to the bar and the conduct of its members~~. Rules of procedure shall be subject to disapproval by the legislature in either of the two sessions following promulgation.

(4) Supreme court process shall extend to all parts of the state."

NEW SECTION. **Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

NEW SECTION. **Section 3. {standard} Effective date.** [This act] is effective upon approval by the electorate.

NEW SECTION. **Section 4. Applicability.** [This act] applies to court proceedings, bar admissions, and bar member conduct on or after October 1, 2027.

NEW SECTION. **Section 5. {standard} Submission to electorate.** [This act] shall be submitted to the qualified electors of Montana at the general election to be held in November 2026 **** by printing on the ballot the full title of [this act] and the following:

[] YES on Constitutional Amendment ____.

[] NO on Constitutional Amendment ____.

- END -

DRAFT