



1 section must state how the petitioner's ballot statements approved by the attorney general do not satisfy the  
2 requirements of 13-27-212 or 13-27-213 and must propose alternate ballot statements that satisfy the  
3 requirements of 13-27-212 and 13-27-213.

4 (c) (i) Pursuant to Article IV, section 7(2), of the Montana constitution, an action brought pursuant  
5 to this section takes precedence over other cases and matters in ~~the supreme district~~ court. The court shall  
6 examine the proposed issue and the challenged statement or determination of the attorney general and shall as  
7 soon as possible render a decision as to the adequacy of the ballot statements or the correctness of the  
8 attorney general's determination.

9 (ii) If the district court decides that the ballot statements do not meet the requirements of 13-27-  
10 212 or 13-27-213, it may order the attorney general to revise the ballot statements within 5 days or certify to the  
11 secretary of state ballot statements that the court determines will meet the requirements of 13-27-212 and 13-  
12 27-213. A ballot statement revised by the attorney general pursuant to the court's order or certified by the court  
13 ~~must be placed on the petition for circulation and on the official ballot~~ is appealable to the supreme court.

14 (iii) If the court decides that the attorney general's legal sufficiency determination is incorrect and  
15 that a proposed issue does not comply with statutory and constitutional requirements governing submission of  
16 the issue to the electors, any petitions supporting the issue are void and the issue may not appear on the ballot  
17 unless otherwise ordered by the supreme court. A proponent of the statewide ballot issue may resubmit a  
18 revised issue, pursuant to 13-27-214, subject to the deadlines provided in this chapter.

19 (iv) If the court decides that the attorney general's legal deficiency determination is incorrect and  
20 that a proposed statewide ballot issue complies with statutory and constitutional requirements governing  
21 submission of the issue to the electors, the attorney general shall prepare ballot statements that comply with  
22 13-27-212 and 13-27-213 and forward the statements to the secretary of state within 5 days of the court's  
23 decision. This decision is appealable to the supreme court.

24 (4) A petition may be circulated by a signature gatherer upon transmission of the sample petition  
25 form by the secretary of state pending review under this section. If, upon review, the attorney general or the  
26 ~~supreme district court or supreme~~ court revises the petition form or ballot statements, any petitions signed prior  
27 to the revision are void.

28 (5) An original proceeding in ~~the supreme district~~ court under this section is the exclusive remedy

1 for a challenge to the petitioner's ballot statements, as approved by the attorney general, or the attorney  
2 general's legal sufficiency determination. A statewide ballot issue may not be invalidated under this section after  
3 the secretary of state has certified the ballot under 13-12-201.

4 (6) This section does not limit the right to challenge a constitutional defect in the substance of an  
5 issue approved by a vote of the people."

6

7 NEW SECTION. Section 2. {standard} Repealer. The following sections of the Montana Code  
8 Annotated are repealed:

9 3-2-202. Original jurisdiction -- review of ballot statements.

10

11 NEW SECTION. Section 3. {standard} Effective date. [This act] is effective on passage and  
12 approval.

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