

Legislative Update: Outcome of SJOR requested legislation

Prepared for the Law and Justice Interim Committee, July 2025

This document summarizes the outcome of legislation from the 2025 Montana legislative session requested by the Senate Select Committee on Judicial Oversight and Reform (SJOR). Further bill information can be found online on the Bill Explorer (<https://bills.legmt.gov/>).

OUTCOME OF COMMITTEE REQUESTED LEGISLATION

Bill Number	Short Title	Sponsor	Status
HB 30	Requiring the Supreme Court to presume constitutionality of and deference to legislative acts	Rep. Lee Deming	Died in Process - 2 nd Reading Indefinitely Postponed in Senate
HB 35	Allocating judicial standards commission to the department of justice	Rep. Fiona Nave	Died in Process - 2 nd Reading Indefinitely Postponed in Senate
HB 36	Disallowing judge to serve as chair of judicial standards commission	Rep. Fiona Nave	Died in Process - 2 nd Reading Indefinitely Postponed in Senate
HB 39	Repeal law disallowing parties from contributing to judicial candidates	Rep. Tom Millett	Chapter Number Assigned
HB 52	Generally revising administrative procedure laws relating to agency deference	Rep. Lee Deming	Died in Process - 2 nd Reading Not Passed in House
HB 65	Audit State Bar of Montana	Rep. Lee Deming	Bill Not Concurred and Tabled in Senate Finance and Claims
SB 13	Remove Supreme Court original jurisdiction for ballot review	Sen. Daniel Emrich	Died in Process - 2 nd Reading Not Concurred in House
SB 14	Audit Office of Disciplinary Council	Sen. Barry Usher	Died in Process - 2 nd Reading Not Concurred in House
SB 15	Revising grounds for impeachment	Sen. Tom McGillvray	Died in Process - 3 rd Reading Failed in House
SB 16	Allowing legislative committees to find contempt for violation of legislative subpoena	Sen. Mark Noland	Died in Process – Bill Withdrawn
SB 20	Prohibit retired judges from hearing constitutional cases	Sen. Jason Ellsworth	Died in Standing Committee – Hearing Canceled and Tabled in House Judiciary
SB 21	Allowing legislative and executive leadership to vacate a writ of mandamus	Sen. Barry Usher	Died in Process - 2 nd Reading Not Concurred in House

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<u>SB 30</u>	Revise laws related to judiciary and the rule of necessity	Sen. Tom McGillvray	Chapter Number Assigned
<u>SB 31</u>	IOLTA Bill Interest back to client	Sen. Barry Usher	Died in Process - 2 nd Reading Indefinitely Postponed in Senate
<u>SB 38</u>	Generally revise laws relating to attorney fees and prevailing parties for veto overrides	Sen. Greg Hertz	Chapter Number Assigned
<u>SB 39</u>	Generally revise attorney fee awards	Sen. Greg Hertz	Chapter Number Assigned
<u>SB 40</u>	Revise supreme court public records laws by opening deliberations and files to the public	Sen. Greg Hertz	Veto Override Failed in Legislature
<u>SB 41</u>	Requiring substitution of district court judges by random selection	Sen. Daniel Emrich	Chapter Number Assigned
<u>SB 42</u>	Provide for partisan election of judges and justices	Sen. Daniel Emrich	Died in Process - 2 nd Reading Not Passed in House
<u>SB 43</u>	Generally revise injunctive powers of the judiciary	Sen. Daniel Emrich	Died in Process – Motion to Reconsider 2 nd Reading Indefinitely Postponed Failed in Senate
<u>SB 44</u>	Generally revise laws regarding the separation of powers doctrine	Sen. Daniel Emrich	Died in Process – Failed 3 rd Reading in Senate and Missed Deadline for General Bill Transmittal
<u>SB 45</u>	Create a judicial performance evaluation commission and system	Sen. Tom McGillvray	Chapter Number Assigned
<u>SB 47</u>	Enhance committee review of statewide ballot issues	Sen. Wendy McKamey	Died in Process – Motion to Reconsider 3 rd Reading Failed in Senate and Missed Deadline for General Bill Transmittal
<u>SB 48</u>	Generally revise laws relating to Judicial Standards Commission complaints	Sen. Carl Glimm	Chapter Number Assigned
<u>SB 49</u>	Exempt lawyers serving in certain public offices from professional disciplinary measure and proceedings while in office	Sen. Barry Usher	Died in Process - 2 nd Reading Not Concurred in House
<u>SB 52</u>	Create Montana Court of Chancery	Sen. Tom McGillvray	Died in Process – Bill Withdrawn and Tabled in Senate Judiciary
<u>SB 66</u>	Generally revise definitions relating to the judiciary	Rep. Fiona Nave	Died in Process - 2 nd Reading Indefinitely Postponed in Senate