

1 JOINT RESOLUTION NO. 1
2 INTRODUCED BY ****
3 BY REQUEST OF THE ****
4

5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
6 MONTANA ADOPTING THE JOINT LEGISLATIVE RULES.

7
8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
9 THE STATE OF MONTANA:

10 That the following Joint Rules be adopted:

11 **JOINT RULES OF THE MONTANA**
12 **SENATE AND HOUSE OF REPRESENTATIVES**

13 **CHAPTER 1**

14 **Legislator Remote Participation**

15 **1-05. Definitions.** As used in these joint rules, the following definitions apply:

16 (1) "Member" means a member of the Senate or the House of Representatives for the 68th Legislature.

17 (2) "Participating remotely", "remotely present", or "participate remotely" means participating by
18 telephone, teleconference, videoconference, or other means.

19 (3) "Present" means a member was either physically present and participating in the session or
20 remotely present and participating in the session.

21 **1-40. Members physically present or remotely present by electronic means.** (1) The Senate and
22 the House may assemble, convene, and conduct the session with members being either physically present or
23 participating remotely. A member is not permitted to participate remotely unless excluded from physical
24 participation based on a decision of the member's caucus leader pursuant to Joint Rule 1-50.

25 (2) Subject to subsection (3), members who are permitted to participate remotely in the session:

26 (a) may vote on any question or other matter before the Senate or the House, including committees of
27 the Senate or the House;

28 (b) have the same privileges, rights, and duties as if the member were physically present, including the

1 resolution.

2 (5) If an effective date provided in the enacting legislation is prior to its passage and approval then the
 3 statue takes effect upon it passage and approval.

4 **40-40. Bill requests and introduction -- limits and procedures -- drafting priority -- agency and**
 5 **committee bills.** (1) Prior to a regular session, a person entitled to serve in that session, referred to as a
 6 "member", or a legislative committee is entitled to request bill drafting services from the Legislative Services
 7 Division. Deadlines for requesting certain types of bills during a legislative session are contained in Joint Rule
 8 40-50.

9 ~~(a) Prior to 5 p.m. on December 5 preceding a regular session of the Legislature, a member may~~
 10 ~~request an unlimited number of bills and resolutions to be prepared by the Legislative Services Division for~~
 11 ~~introduction in the regular session.~~

12 ~~(b) After 5 p.m. on December 5, a member may request no more than seven bills or resolutions to be~~
 13 ~~prepared by the Legislative Services Division. At least five of the seven bills or resolutions must be requested~~
 14 ~~before the regular session convenes.~~

15 ~~(c) After December 5, a member, in the member's discretion, may grant to any other member any of the~~
 16 ~~remaining bill or resolution requests the granting member has not used. A bill requested by an individual may~~
 17 ~~not be transferred to another legislator but may be introduced by another legislator. The requestor must take~~
 18 ~~delivery of the bill either in person or by electronic means and sign, either in person or by electronic means, a~~
 19 ~~receipt indicating delivery of the bill and may either introduce the bill or give the bill to another legislator for~~
 20 ~~introduction.~~

21 (a) (i) Except as provided for in in subsections (1)(a)(ii) through (1)(a)(iv), a member may not request
 22 more than 5 bills or resolutions.

23 (ii) A member that is not newly elected to the Legislature and that served as a member in the
 24 immediate previous session may request up to 8 bills or resolutions.

25 (iii) A member appointed as a chair of a session standing committee may request up to 15 bills or
 26 resolutions.

27 (iv) A member who is elected as:

28 (A) Senate President or Speaker of the House may request up to 30 bills or resolutions;

1 (B) Majority Leader of the Senate or Majority Leader of the House may request up to 25 bills or
2 resolutions;

3 (C) Minority Leader of the Senate, and Minority Leader of the House may request up to 25 bills or
4 resolutions.

5 (b) A member may not request more than two interim study resolutions. Only an interim study
6 resolution request may be used to draft an interim study resolution.

7 ~~(d)~~(c) These limitations on bill and resolution requests do not apply to:

8 (i) Code Commissioner bills;

9 (ii) a bill or resolution requested by a standing committee; and

10 (iii) a bill or resolution requested by a member at the request of a newly elected state official if so
11 designated.

12 (2) (a) (i) Except as provided in subsections (2)(a)(ii) through (2)(a)(iv) and (2)(b), the staff of the
13 Legislative Services Division shall work on bill draft requests in the order received.

14 (ii) Except as provided in subsection (2)(a)(iii), after a member has requested the drafting of five bills,
15 the sixth bill request and all subsequent bill requests of that member must receive a lower drafting priority than
16 all other bills of members not in excess of five per member.

17 (iii) On or before the 5th legislative day, a legislator may reprioritize two of the legislator's top five bill
18 draft requests. A legislator may not reprioritize a bill draft request if the legislator has been notified that staff has
19 initiated drafting of the request.

20 (iv) (A) The Speaker of the House and the President of the Senate may each direct the staff of the
21 Legislative Services Division to assign a higher priority to 38 draft requests. The minority leader of the House
22 and the minority leader of the Senate may each direct the staff of the Legislative Services Division to assign a
23 higher priority to 20 draft requests. The staff of the Legislative Services Division shall assign a higher priority to
24 any bill draft request when jointly directed by the President of the Senate, the minority leader of the Senate, the
25 Speaker of the House, and the minority leader of the House.

26 (B) The Speaker of the House and the President of the Senate may each request 30 leadership bill
27 drafts. The minority leader of the House and the minority leader of the Senate may each request 20 leadership
28 bill drafts.

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1 (b) (i) Except for bill draft requests described in ~~subsection-subsections~~ (1)(d)(iii) and (2)(b)(ii), if a draft
2 bill has not been received by the Legislative Services Division by November 15¹, for a bill by request of an
3 agency or entity, the draft loses its priority under this rule.

4 (ii) All Office of Budget and Program Planning budget and appropriation draft bills must be received by
5 the Legislative Services Division by December 10, or the draft loses its priority under this rule.

6 (3) Bills and resolutions must be reviewed by the staff of the Legislative Services Division prior to
7 introduction for proper format, style, and legal form. The staff of the Legislative Services Division shall store bills
8 on the automated bill drafting equipment and shall post them electronically or print and deliver them to the
9 requesting members. The original bill back must be signed to indicate review by the Legislative Services
10 Division. The electronic version of the bill must include an indication of review by the Legislative Services
11 Division. A bill may not be introduced unless it is so signed or indicated.

12 (4) (a) During a session, a bill may be introduced by endorsing it with or indicating the name of a
13 member and presenting it to the Chief Clerk of the House of Representatives or the Secretary of the Senate.
14 Bills or joint resolutions may be sponsored jointly by Senate and House members. A jointly sponsored bill must
15 be introduced in the house in which the member whose name appears or is indicated first on the bill is a
16 member. The chief joint sponsor's name must appear immediately to the right of the first sponsor's name, and
17 the chief sponsor may not be changed. Except as provided in subsection (4)(b), in each session of the
18 Legislature, bills, joint resolutions, and simple resolutions must be numbered consecutively in separate series in
19 the order of their receipt.

20 (b) The first 15 House bills may be reserved for preintroduced bills.

21 (5) (a) (i) Except as provided in subsection (5)(b)(ii), any bill requested by an interim or statutory
22 legislative committee or on behalf of an administrative or executive agency or department through an interim or
23 statutory committee must be so indicated by placing after the names of the sponsors the phrase "By Request of
24 the.....(Name of committee or agency)". The phrase may not be added to an introduced bill by amendment.
25 The phrase may not be placed on a bill unless requested by a statutory or interim committee prior to the
26 convening of the session. Unless requested by an individual member, a bill draft request submitted at the
27 request of an agency must be submitted to, reviewed by, and requested by the appropriate interim or statutory
28 committee. Except as provided in subsection (5)(b), an agency or committee bill request must be preintroduced

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1 or the request is canceled. Preintroduction of an agency, ~~or committee, or individual legislator's bill~~ must occur
2 no later than 5 p.m. on December 15th prior to the convening of a regular legislative session. Preintroduction is
3 accomplished when the Legislative Services Division receives a signed preintroduction form.

4 (ii) Preintroduction of an individual legislator's bill must occur no later than 5 p.m. on December 30th
5 prior to the convening of a regular legislative session. Preintroduction is accomplished when the Legislative
6 Services Division receives a signed preintroduction form.

7 (b) (i) The preintroduction requirement does not apply to an office held by an elected official during the
8 official's first year in that office or to bills requested by a joint select or joint special committee appointed prior to
9 the convening of the legislative session to address a specific issue. Bills requested under this subsection (5)(b)
10 may include the phrase "By Request of.....(Name of official or committee)".

11 (ii) An official newly elected to a statewide office may request in writing that the Legislative Services
12 Division remove the phrase "By Request of....." from bills requested by the outgoing official of that office.

13 (6) Bills may be preintroduced, numbered, posted online, and reproduced prior to a legislative session
14 by the staff of the Legislative Services Division. Actual signatures, facsimile signatures (5-2-105, MCA), or
15 electronic signatures, along with verified email addresses, of persons entitled to serve as members in the
16 ensuing session may be obtained on a consent form from the Legislative Services Division and the sponsor's
17 name printed or listed on the bill. Additional sponsors may be added on motion of the chief sponsor at any time
18 prior to a standing committee report on the bill. These names will be forwarded to the Legislative Services
19 Division to be included on the face of the printed bill or included on the electronic version of the bill following
20 standing committee approval.

21 **40-50. Schedules for drafting requests and bill introduction.** (1) The following schedule must be
22 followed for submission of drafting requests.

23		Request Deadline
24		5:00 P.M.
25		Legislative Day
26		_____
27	•	General Bills and Resolutions <u>42 10</u>
28	•	Revenue Bills <u>47 15</u>

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Drafter: Todd Everts, LC

69th Legislature 2025

PD 0060

- 1 • Committee Bills and Resolutions/Leadership General Bills 36 30
- 2 and Resolutions
- 3 • Committee Revenue and Appropriation Bills and Bills Proposing Referenda/Leadership 5652
- 4 Revenue and Appropriation Bills and Bills Proposing Referenda
- 5 • ~~Committee Bills and Leadership Bills implementing provisions~~ 5652
- 6 ~~of a general appropriation act~~
- 7 • Committee Bills and Leadership Bills implementing provisions of a general appropriation act
- 8 and Interim study resolutions 6031
- 9 • Appropriation Bills 4542
- 10 • Resolutions to express confirmation of No Deadline
- 11 appointments
- 12 • Bills repealing or directing the amendment No Deadline
- 13 or adoption of administrative rules and
- 14 joint resolutions advising or requesting
- 15 the repeal, amendment, or adoption of
- 16 administrative rules

17 (2) (a) A bill or resolution must be introduced at least 6 8 legislative days prior to the applicable
18 transmittal deadline as provided in Joint Rule 40-200 except for:

19 (i) ~~a session committee bill, resolution, or referenda~~ a bill implementing provisions of a general
20 appropriation act, which must be introduced at least 15 legislative days prior to the applicable transmittal
21 deadline;

22 (ii) a bill repealing or directing the amendment or adoption of administrative rules;

23 (iii) a joint resolution advising or requesting the repeal, amendment, or adoption of administrative rules;

24 or

25 (iv) a resolution expressing confirmation.

26 (b) Bills and resolutions must be introduced within 2 legislative days after delivery. Failure to comply
27 with the introduction deadline results in the bill draft being canceled.

28 **40-60. Joint resolutions.** (1) A joint resolution must be adopted by both houses and is not approved

1 (7) The original must be filed with the Secretary of State. A signed copy with a chapter number
2 assigned pursuant to section 5-11-204, MCA, must be filed with the Legislative Services Division.

3 **40-170. Amendment by second house.** (1) Amendments to a bill by the second house may not be
4 further amended by the house in which the bill originated, but must be either accepted or rejected. A bill
5 amended by the second house when the effect of the combined amendments is to return the bill to the form that
6 the bill passed the house in which the bill originated is not considered to have been amended and need not be
7 returned to the house of origin for acceptance or rejection of the amendments. If the amendments are rejected,
8 a conference committee may be requested by the house in which the bill originated. If the amendments are
9 accepted and the bill is of a type requiring more than a majority vote for passage, the bill again must be placed
10 on third reading in the house of origin.

11 (2) The vote on third reading after concurrence in amendments is the vote of the house of origin that
12 must be used to determine if the required number of votes has been cast.

13 **40-180. Final action on a bill.** (1) When a bill being heard by the second house has received its third
14 reading or has been rejected, the second house shall transmit it as soon as possible to the original house with
15 notice of the second house's action.

16 (2) A bill that reduces revenue and that contains a contingent voidness provision may not be
17 transmitted to the Governor unless there is an identified corresponding reduction in an appropriation contained
18 in the general appropriations act.

19 **40-190. Transmittal of bills between houses -- referral -- hearing.** (1) Each house shall transmit to
20 the other with any bill all relevant papers.

21 (2) When a House bill is transmitted to the Senate, the Secretary of the Senate shall give a dated
22 receipt for the bill to the Chief Clerk of the House. When a Senate bill is transmitted to the House of
23 Representatives, the Chief Clerk of the House shall give a dated receipt to the Secretary of the Senate.

24 (3) Transmitted bills must be referred to committee and scheduled for hearing.

25 **40-200. Transmittal deadlines -- two-thirds vote requirement.** (1) (a) A bill or amendment
26 transmitted after the deadline established in this subsection (1) may be considered by the receiving house only
27 upon approval of two-thirds of its members present and voting. If the receiving house does not so vote, the bill
28 or amendment must be held pending in the house to which it was transmitted.

1 (b) (i) A bill, except for an appropriation bill, a revenue bill, a bill proposing a referendum, a general joint
2 resolution, an interim study resolution, or amendments considered by joint committee, must be transmitted from
3 one house to the other on or before the 48th45th legislative day.

4 (ii) Amendments, except to appropriation bills, committee bills implementing the general appropriations
5 bill, the revenue estimating resolution, interim study resolutions, bills proposing referenda, and revenue bills,
6 must be transmitted from one house to the other on or before the 73rd legislative day.

7 (c) (i) Revenue bills, bills proposing referenda, and general joint resolutions must be transmitted to the
8 other house on or before the 67th legislative day.

9 (ii) Amendments to revenue bills, bills proposing referenda, and general joint resolutions, received from
10 the other house, must be transmitted to the house of origin on or before the 80th legislative day.

11 (iii) A revenue bill is one that either increases or decreases revenue by enacting, eliminating,
12 increasing, or decreasing taxes or fees.

13 (d) (i) Appropriation bills and any bill implementing provisions of a general appropriation bill must be
14 transmitted to the Senate on or before the 69th67th legislative day. A fund transfer within the state treasury is
15 not an appropriation for purposes of this section.

16 (ii) Senate amendments to appropriation bills must be transmitted by the Senate to the House on or
17 before the 80th legislative day.

18 (2) (a) A joint resolution introduced pursuant to 5-5-227, MCA, for the purpose of estimating revenue
19 available for appropriation by the Legislature must be transmitted to the Senate no later than the 60th legislative
20 day.

21 (b) Amendments to the revenue estimating resolution must be transmitted to the body in which the
22 resolution was introduced no later than the 82nd legislative day.

23 (3) Bills repealing or directing the amendment or adoption of administrative rules and joint resolutions
24 advising or requesting the repeal, amendment, or adoption of administrative rules may be transmitted at any
25 time during a session.

26 (4) Interim study resolutions must be transmitted from one house to the other on or before the 85th74th
27 legislative day.

28 **40-210. Governor's veto.** (1) Except as provided in 40-65 and 40-180, each bill passed by the