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As of: ~~2022/12/02 05:48:55~~2022/12/05 09:02:50~~2022/12/05 09:57:29~~2022/12/05 10:54:24

68th Legislature

Drafter: ~~Jaret Coles~~Todd Everts, 406-444-4022~~406-444-4023~~

PD ~~004300~~190023*

INTRODUCED BY C. SMITH

JOINT RULES AMENDMENT NO. SJ.0001.001.06

AMENDMENT REQUESTED BY MCGILVRAY

FOR THE JOINT RULES COMMITTEE

PREPARED BY TODD EVERTS

BY REQUEST OF THE JOINT RULES

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

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

That the following Joint Rules be adopted:

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

CHAPTER 1

COVID-19 Response

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

- (1) "Member" means a member of the Senate or the House of Representatives for the 67th Legislature.
- (2) "Participating remotely", "remotely present", or "participate remotely" means participating by telephone, teleconference, videoconference, or other means.
- (3) "Present" means a member was either physically present and participating in the session or remotely present and participating in the session.
- (4) "Session" means the 67th legislative session.

1-10. Legislative Leadership COVID-19 Response Panel. (1) There is a Legislative Leadership COVID-19 Response Panel comprised of:

originate in the House of Representatives.

(2) Appropriation bills for the operation of the Legislature must be introduced by the chair of the House Appropriations Committee.

(3) (a) The provisions of a bill that implements provisions of a general appropriation act must directly and substantively relate to a corresponding provision of the general appropriation act.

(b) (i) When a bill that implements provisions of a general appropriation act is transmitted from the Senate to the House for concurrence, the House may refer the bill to the House Appropriations Committee for a joint meeting with the appropriate house standing committee for public review and consideration prior to action by the House Committee of the Whole on second reading.

(ii) When a bill that implements provisions of a general appropriation act is transmitted from the House to the Senate for concurrence, the Senate may refer the bill to the Senate Finance and Claims Committee for a joint meeting with the appropriate Senate standing committee for public review and consideration prior to action by the Senate Finance and Claims Committee and the Senate Committee of the Whole on second reading. The appropriate standing committee may not take executive action on the bill other than making recommendations to the Senate Finance and Claims Committee.

40-30. Effective dates. (1) Except as provided in subsections (2) through (4), a statute takes effect on October 1 following its passage and approval unless a different time is prescribed in the enacting legislation.

(2) A law appropriating public funds for a public purpose takes effect on July 1 following its passage and approval unless a different time is prescribed in the enacting legislation.

(3) A statute providing for the taxation or imposition of a fee on motor vehicles takes effect on the first day of January following its passage and approval unless a different time is prescribed in the enacting legislation.

(4) A joint resolution takes effect on its passage unless a different time is prescribed in the joint resolution.

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

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40-50.

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

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

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

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

(i) Code Commissioner bills;

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

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

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

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

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

~~(iv)~~ The Speaker of the House and the President of the Senate may each direct the staff of the Legislative Services Division to assign a higher priority to 38 draft requests. The minority leader of the House

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and the minority leader of the Senate may each direct the staff of the Legislative Services Division to assign a higher priority to 20 draft requests. The staff of the Legislative Services Division shall assign a higher priority to any bill draft request when jointly directed by the President of the Senate, the minority leader of the Senate, the Speaker of the House, and the minority leader of the House.

(b) Except for bill draft requests described in subsection (1)(d)(iii), if a draft bill has not been received by the Legislative Services Division by November 15 for a bill by request of an agency or entity, the draft loses its priority under this rule.

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

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

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

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

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request of an agency must be submitted to, reviewed by, and requested by the appropriate interim or statutory committee. Except as provided in subsection (5)(b), an agency or committee bill request must be preintroduced or the request is canceled. Preintroduction of an agency, committee, or individual legislator's bill must occur no later than 5 p.m. on December 15th prior to the convening of a regular legislative session. Preintroduction is accomplished when the Legislative Services Division receives a signed preintroduction form.

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

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

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

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

	Request Deadline
	5:00 P.M.
	Legislative Day

• General Bills and Resolutions	12
• Revenue Bills	17
• Committee Bills and Resolutions	36