

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 Senate Minority Leader.

2 **CHAPTER 10**

3 **Administration**

4 **10-10. Time of meeting.** Each house may order its time of meeting.

5 **10-20. Legislative day -- duration.** (1) If either house is in session on a given day, that day constitutes
6 a legislative day.

7 (2) A legislative day for a house ends either 24 hours after that house convenes for the day or at the
8 time the house convenes for the following legislative day, whichever is earlier.

9 **10-30. Schedules.** The presiding officer of each house shall coordinate its schedule to accommodate
10 the workload of the other house.

11 **10-40. Adjournment -- recess -- meeting place.** A house may not, without the consent of the other,
12 adjourn or recess for more than 3 days or to any place other than that in which the two houses are sitting
13 (Montana Constitution, Art. V, Sec. 10(5)). The procedure for obtaining consent is contained in Joint Rule 20-
14 10.

15 **10-50. Access of media -- registration -- decorum -- sanctions.** (1) Subject to the presiding officer's
16 discretion on issues of decorum and order, a registered media representative may not be prohibited from
17 photographing, televising, or recording a legislative meeting or hearing.

18 (2) The presiding officer shall authorize the issuance of cards to media representatives to allow floor
19 access, and media representatives holding the cards are subject to placement on the floor by the presiding
20 officer. The presiding officer may delegate enforcement of this rule to the office of the Secretary of the Senate,
21 Chief Clerk of the House, the respective Sergeant-at-Arms, or the Legislative Information Officer. The privilege
22 may be revoked or suspended for a violation of decorum and order as agreed to by the media representative
23 upon application for registration.

24 (3) Registered media representatives may be subject to seating in designated areas. Overflow access
25 will be in the gallery.

26 **10-60. Conflict of interest.** A member who has a personal or private interest in any measure or bill
27 proposed or pending before the Legislature shall disclose the fact to the house to which the member belongs.

28 **10-70. Telephone calls and internet access.** (1) ~~Long-distance telephone calls made by a member~~

1 ~~on-Use of~~ a state telephone while the Legislature is in session or while the member is in travel status are
2 considered official legislative business. These include but are not limited to calls made to constituencies, places
3 of business, and family members. A member's access to the internet through a permissible server is a proper
4 use of the state communication system if the use is for legislative business or is within the scope of permissible
5 use of ~~long-distance telephone calls~~ a state telephone.

6 (2) Session staff, including aides, may use state telephones ~~for long-distance calls only~~ if specifically
7 authorized to do so by their legislative sponsor or supervisor. Sponsoring members and supervisors are
8 accountable for use of state telephones and internet access by their staff, including aides, and may not
9 authorize others to use state phones or state servers to access the internet.

10 (3) Permanent staff of the Legislature shall comply with executive branch rules applying to the use of
11 state telephones.

12 (4) For purposes of this section, "state telephone" or "state phone" means a landline telephone or other
13 telephone provided by the state.

14 **10-80. Joint employees.** The presiding officers of each house, acting together, shall:

15 (1) hire joint employees; and

16 (2) review a dispute or complaint involving the competency or decorum of a joint employee, and
17 dismiss, suspend, or retain the employee.

18 **10-85. Discrimination, harassment, and retaliation prohibited -- adoption of policy.** (1) Legislators,
19 legislative employees, and all participants in the legislative process have the right to work free of discrimination,
20 harassment, and retaliation when performing services in furtherance of legislative responsibilities, whether the
21 offender is an employer, employee, or legislator.

22 (2) The policy of the Montana Legislature prohibiting discrimination, harassment, and retaliation, as
23 recommended by the Legislative Council and approved by the Legislature by virtue of adoption of these joint
24 rules, must be shared with members and staff during orientation and training and published separately as an
25 appendix to the Joint Rules.

26 **10-100. Legislative Services Division.** (1) The staff of the Legislative Services Division shall serve
27 both houses as required.

28 (2) Staff members shall:

1 (a) maintain personnel files for legislative employees; and

2 (b) prepare payrolls ~~for certification and authorization by the presiding officer~~ and prepare a monthly
3 financial report.

4 (3) The Legislative Services Division shall train ~~journal clerks~~ rostrum staff for both houses.

5 **10-120. Engrossing and enrolling staff -- duties.** (1) The Legislative Services Division shall provide
6 all engrossing and enrolling staff.

7 (2) The duties of the engrossing and enrolling staff are:

8 (a) to engross or enroll any bill or resolution delivered to them within 48 hours after it has been
9 received, unless further time is granted in writing by the presiding officer of the house in which the bill
10 originated; and

11 (b) to correct clerical errors, absent the objection of the sponsor of a bill, resolution, or amendment and
12 the Secretary of the Senate or the Chief Clerk of the House of Representatives in any bill or amendment
13 originating in the house by which the Clerk or Secretary is employed. The following kinds of clerical errors may
14 be corrected:

15 (i) errors in spelling;

16 (ii) errors in numbering sections;

17 (iii) additions or deletions of underlining or lines through matter to be stricken;

18 (iv) material copied incorrectly from the Montana Code Annotated;

19 (v) errors in outlining or in internal references;

20 (vi) an error in a title caused by an amendment;

21 (vii) an error in a catchline caused by an amendment;

22 (viii) errors in references to the Montana Code Annotated; and

23 (ix) other nonconformities of an amendment with Bill Drafting Manual form.

24 (3) The engrossing and enrolling staff shall give notice in writing of the clerical correction to the
25 Secretary of the Senate or the Chief Clerk of the House, who shall give notice to the sponsor of the bill or
26 amendment. The form must be filed in the office of the amendments coordinator. A party receiving notice may
27 register an objection to the correction by filing the objection in writing with the Secretary of the Senate or the
28 Chief Clerk of the House by the end of the next legislative day following receipt of the notice. The Senate or

1 House shall vote on whether or not to uphold the objection. If the objection is upheld, the Secretary of the
2 Senate or the Chief Clerk of the House shall notify the Executive Director of the Legislative Services Division,
3 and the engrossing staff shall change the bill to remove the correction or corrections to which the objection was
4 made.

5 (4) For the purposes of this rule, "engrossing" means placing amendments in a bill.

6 **10-130. Bills -- sponsorship -- style -- format.** (1) A bill must be sponsored by a member of the
7 Legislature.

8 (2) A bill must be formatted electronically with numbered lines and:

9 (a) printed on paper with numbered lines;

10 (b) numbered at the foot of each page (except page 1);

11 (c) backed with a page of substantial material that includes spaces for notations for tracking the
12 progress of the bill; and

13 (d) introduced. Introduction constitutes the first reading of the bill.

14 (3) In a section amending an existing statute, matter to be stricken out must be indicated with a line
15 through the words or part to be deleted, and new matter must be underlined.

16 (4) (a) Except as provided in subsection (4)(b), sections of the Montana Code Annotated repealed or
17 amended in a bill must be stated in the title.

18 (b) (i) Sections of the Montana Code Annotated repealed or amended in a legislative referendum must
19 be stated in the title unless the inclusion of those sections in the title would cause the title to cumulatively
20 exceed a 100-word limit.

21 (ii) If the inclusion of sections of the Montana Code Annotated repealed or amended in a legislative
22 referendum title would cause the title to cumulatively exceed 100 words, the title must include those sections
23 that do not exceed the 100-word limit and include a reference to the total number of additional sections listed in
24 the body of the bill that are excluded from the title due to the 100-word limit. Those additional sections excluded
25 from the title must be listed in a section within the body of the bill after the enacting clause.

26 (5) Introduced bills must be posted online and may be reproduced on white paper and distributed to
27 members.

28 (6) A legal review note or analysis produced by the Legislative Services Division Legal Services Office

1 must be attached to an introduced bill and posted on the Legislative Branch website.

2 (7) Prior to submitting legislation for introduction, the chief sponsor may add representatives and
3 senators as cosponsors. A legislator may be added as a cosponsor by an in-person request, an electronic
4 message, a phone communication, or a cosponsor form. If a printed cosponsor form is used, a legislator must
5 sign or initial a cosponsor form supplied upon request by the Secretary of the Senate or the Chief Clerk of the
6 House in order to be added as a cosponsor. A legislator may also sign on the front page of the legislation.

7 (8) (a) ~~Prior~~ Within 2 days from the date that the chief sponsor signs and accepts legislation from the
8 Legislative Services Division and prior to submitting legislation to the Secretary of the Senate or the Chief Clerk
9 of the House for introduction, the chief sponsor may add representatives and senators as cosponsors. A
10 legislator shall sign the cosponsor form attached to the legislation in order to be added as a cosponsor.

11 (b) (i) ~~After~~ Except as provided in subsection (8)(b)(ii), after legislation is submitted for introduction but
12 before the legislation returns from the first ~~House or Senate~~ house committee, the chief sponsor may add or
13 remove cosponsors by filing a cosponsor form with the Secretary of the Senate or the Chief Clerk of the House.

14 (ii) A Senate chief sponsor may not remove a cosponsor.

15 **10-140. Voting on bills -- constitutional amendments.** (1) A bill may not become a law except by
16 vote of the constitutionally required majority of all the members present and voting in each house (Montana
17 Constitution, Art. V, Sec. 11(1)). On final passage, the vote must be taken by ayes and noes and the names of
18 those voting entered on the journal (Montana Constitution, Art. V, Sec. 11(2)).

19 (2) Any vote in one house on a bill proposing an amendment to The Constitution of the State of
20 Montana under circumstances in which there exists the mathematical possibility of obtaining the necessary two-
21 thirds vote of the Legislature will cause the bill to progress as though it had received the majority vote.

22 (3) This rule does not prevent a committee from tabling a bill proposing an amendment to The
23 Constitution of the State of Montana.

24 **10-150. Recording and publication of voting.** (1) Every vote of each member on each substantive
25 question in the Legislature, in any committee, or in Committee of the Whole must be recorded and made
26 available to the public. On final passage of any bill or joint resolution, the vote must be taken by ayes and noes
27 and the names entered on the journal.

28 (2) (a) Roll call votes must be taken by ayes and noes and the names entered on the journal on

1 adopting an adverse committee report and on those motions made in Committee of the Whole to:

2 (i) amend;

3 (ii) recommend passage or nonpassage;

4 (iii) recommend concurrence or nonconcurrence; or

5 (iv) indefinitely postpone.

6 (b) The text of all proposed amendments in Committee of the Whole must be recorded.

7 (3) A roll call vote must be taken on nonsubstantive questions on the request of two members who
8 may, on any vote, request that the ayes and noes be spread upon the journal.

9 (4) Roll call votes and other votes that are to be made public but are not specifically required to be
10 spread upon the journal must be entered in the minutes-audio recording log of the appropriate committee or of
11 the appropriate house (Montana Constitution, Art. V, Sec. 11(2)). ~~A copy of the minutes must be filed with the~~
12 ~~Montana Historical Society. If electronically recorded minutes are kept for a committee, a written~~ The official
13 record of a committee meeting is the audio recording of the meeting and an audio recording log must also be
14 kept that includes but is not limited to:

15 (a) the date, time, and place of the meeting;

16 (b) a list of the individual members of the public body, agency, or organization who were in attendance;

17 (c) all matters proposed, discussed, or decided; and

18 (d) at the request of any member, a record of votes by individual members for any votes taken.

19 **10-160. Journal.** Each house shall:

20 (1) supply the Legislative Services Division with the contents of the daily journal to be stored on an
21 automated system;

22 (2) examine its journal and order correction of any errors; and

23 (3) make a daily journal available to all members.

24 **10-170. Journals -- authentication -- availability.** (1) The journal of the Senate must be authenticated
25 by the signature of the President and the Secretary of the Senate, and the journal of the House of
26 Representatives must be authenticated by the signature of the Speaker and the Chief Clerk of the House.

27 (2) The Legislative Services Division shall make the completed journals electronically available to the
28 public.

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CHAPTER 20

Relations With Other House

20-10. Consent for adjournment or recess. As required by Article V, section 10(5), of the Montana Constitution, the consent of the other house is required for adjournment or recess for more than 3 calendar days. Consent for adjournment is obtained by having the house wishing to adjourn send a message to the other house and having the receiving house vote favorably on the request. The receiving house shall inform the requesting house of its consent or lack of consent. Consent is not required on or after the 87th legislative day.

CHAPTER 30

Committees

30-05. Remote and in-person public testimony before a committee. (1) Except as provided for in subsection (2), and subject to provisions of H30-60 and S30-80, remote or in-person testimony from proponents, opponents, and informational witnesses must be allowed on every bill or resolution before a standing or select committee.

(2) If a remote technology system failure prevents a person from providing remote testimony, the person may submit written electronic testimony for the committee's official record.

30-10. Joint committee chair -- exception. Except as provided in Joint Rule 30-50 concerning the joint meetings of the Senate Finance and Claims Committee and the House Appropriations Committee, the chair of the Senate committee is the chair of all joint committees.

30-20. Voting in joint committees -- exception. (1) Except for Rules Committees and conference committees, a member of a joint committee votes individually and not by the house to which the committee member belongs.

(2) Because the Rules Committees and conference committees are joint meetings of separate committees, in those committees the committees from each house vote separately. A majority of each committee shall agree before any action may be taken, unless otherwise specified by individual house rules.

30-30. Conference committees -- subject matter restrictions. (1) If either house requests a conference committee and appoints a committee for the purpose of discussing an amendment on which the two houses cannot agree, the other house shall appoint a committee for the same purpose. Subject to subsection (4), the time and place of all conference committee meetings must be agreed upon by their chairs and

1 announced from the rostrum. This announcement is in order at any time. Failure to make this announcement
2 does not affect the validity of the legislation being considered.

3 (2) A conference committee, having conferred, shall report to the respective houses the result of its
4 conference. Subject to subsection (4), a conference committee shall confine itself to consideration of the
5 disputed amendment. The committee may recommend:

6 (a) acceptance or rejection of each disputed amendment in its entirety; or

7 (b) further amendment of the disputed amendment.

8 (3) (a) If either house requests a free conference committee and the other house concurs,
9 appointments must be made in the same manner as provided in subsection (1). Subject to subsection (4), a
10 free conference committee may discuss and propose amendments to a bill in its entirety and is not confined to
11 a particular amendment. However, a free conference committee is limited to consideration of amendments that
12 are within the scope of the title of the introduced bill.

13 (b) A free conference committee may not take executive action on an amendment to a bill implementing
14 provisions of a general appropriation act that does not directly and substantively address the subject of the bill.

15 (4) A meeting of a conference committee or free conference committee must be conducted as an open
16 meeting, and ~~minutes~~ an audio recording log of the meeting must be kept. Committees are encouraged to
17 provide at least 24 hours' notice to members of the committee and the public. A committee shall conduct a
18 hearing with the opportunity for public comment for the purpose of commenting on proposed amendments or
19 potential amendments to the bill.

20 **30-40. Conference committee -- enrolling.** A conference committee report must give clerical
21 instructions for a corrected reference bill and for enrolling by referring to the reference bill version.

22 **30-50. Committee consideration of general appropriation bills.** (1) All general appropriation bills
23 must first be considered by a joint subcommittee composed of designated members of the Senate Finance and
24 Claims Committee and the House Appropriations Committee, and then by each committee separately.

25 (2) Joint meetings of the House Appropriations Committee and the Senate Finance and Claims
26 Committee must be held upon call of the chair of the House Appropriations Committee, who is chair of the joint
27 committee.

28 (3) The committee chair of the Senate Finance and Claims Committee or of the House Appropriations

1 extended by reference to its title only, but the statute section that is amended or extended must be reproduced
2 or published at length.

3 **40-90. Bills -- original purpose.** A law may not be passed except by bill. A bill may not be so altered
4 or amended on its passage through either house as to change its original purpose (Montana Constitution, Art.
5 V, Sec. 11(1)).

6 **40-95. Amendment processing.** (1) Amendments to bills and resolutions are drafted by Legislative
7 Services Division staff.

8 (2) All amendments must be reviewed by the staff of the Legislative Services Division for proper format,
9 style, and legal form.

10 ~~(3) Amendments requested and approved by a legislator on a bill that has been assigned to a session~~
11 ~~standing committee must be emailed to members of the committee prior to executive action on the bill.~~

12 ~~(4)(3)~~ Amendments requested and approved by a legislator on a bill that is in committee or is
13 scheduled for second reading in the Committee of the Whole must be posted online.

14 **40-100. Fiscal notes.** (1) All bills reported out of a committee of the Legislature, including interim
15 committees, having a potential effect on the revenues, expenditures, or fiscal liability of the state, local
16 governments, or public schools, except appropriation measures carrying specific dollar amounts, must include a
17 fiscal note incorporating an estimate of the fiscal effect. The Legislative Services Division staff shall indicate at
18 the top of each bill prepared for introduction that a fiscal note may be necessary under this rule. Fiscal notes
19 must be requested by the presiding officer of either house, who, at the time of introduction or after adoption of
20 substantive amendments to an introduced bill, shall determine the need for the note, based on the Legislative
21 Services Division staff recommendation.

22 (2) The Legislative Services Division shall make available an electronic copy of any bill for which it has
23 been determined a fiscal note may be necessary to the Budget Director immediately after the bill has been
24 prepared for introduction and delivered to the requesting member. The Budget Director may proceed with the
25 preparation of a fiscal note in anticipation of a subsequent formal request. A bill with financial implications for a
26 local government or school district must comply with subsection (4).

27 (3) The Budget Director, in cooperation with the governmental entity or entities affected by the bill, is
28 responsible for the preparation of the fiscal note. Except as provided in subsection (4), the Budget Director shall

1 reading; or

2 (iii) the chief sponsor.

3 (b) With the approval of the presiding officer, a committee may request a revised fiscal note on
4 committee-approved amendments to a bill not reported out of committee by passing a motion to postpone
5 action on the bill pending a revised fiscal note.

6 (9) The Budget Director shall prepare and deliver an amended fiscal note on an amended bill within 3
7 days of the request by the presiding officer; otherwise the bill may proceed without the updated fiscal note.

8 (10) The Budget Director shall make available on request to any member of the Legislature all
9 background information used in developing a fiscal note.

10 (11) If a bill requires a fiscal note, the bill may not be reported from a committee for second reading
11 unless the bill is accompanied by the fiscal note.

12 (12) (a) If the budget director fails to prepare and submit a fiscal note in a timely fashion in accordance
13 with this rule, the presiding officer of each house may request the preparation of a fiscal note by the Legislative
14 Fiscal Division, which shall prepare a fiscal note for the bill.

15 (b) The presiding officer of the originating chamber shall designate which fiscal note accompanies the
16 bill or is used in the preparation of the status sheet if more than one fiscal note is prepared.

17 **40-110. Sponsor's fiscal note rebuttal.** (1) If a sponsor elects to prepare a sponsor's fiscal note
18 rebuttal, the sponsor shall make the election as provided and return the completed sponsor's fiscal note rebuttal
19 form to the presiding officer within 4 days of the election. The form must identify the bill number, the sponsor of
20 the bill, the date prepared, the version of the fiscal note being rebutted, the reasons the sponsor disagrees with
21 the fiscal note, the items or assumptions in the fiscal note that the sponsor believes are incorrect, and the
22 sponsor's estimate of the fiscal impact, if an estimate is available.

23 (2) The presiding officer may grant additional time to the sponsor for preparation of the sponsor's fiscal
24 note rebuttal.

25 (3) Upon receipt of the completed sponsor's fiscal note rebuttal form, the presiding officer shall refer it
26 to the committee hearing the bill. If the bill is printed, the form must be identified as a sponsor's fiscal note
27 rebuttal, reproduced, and placed on the members' desks. The sponsor's fiscal note rebuttal must be posted
28 online with the bill materials.

1 (4) The ~~Legislative Services Division or the Legislative Fiscal Division~~ House and the Senate shall
2 provide forms for preparation of sponsors' fiscal note rebuttals and shall post the completed sponsors' fiscal
3 note rebuttals online and may also print the completed sponsors' fiscal note rebuttal forms on a different color
4 paper than the fiscal notes prepared by the Budget Director.

5 **40-120. Substitute bills.** (1) A committee may recommend that every clause in a bill be changed and
6 that entirely new material be substituted so long as the new material is relevant to the title and subject of the
7 original bill. The substitute bill is considered an amendment and not a new bill.

8 (2) The proper form of reporting a substitute bill by a committee is to propose amendments to strike out
9 all of the material following the enacting clause, to substitute the new material, and to recommend any
10 necessary changes in the title of the bill.

11 (3) If a committee report is adopted that recommends a substitute for a bill originating in the other
12 house, the substitute bill must be printed and reproduced.

13 **40-130. Reading of bills.** Prior to passage, a bill, other than a bill requested by a joint select or joint
14 special committee as provided in 40-40(5)(b), must be read three times in the house in which it is under
15 consideration. It may be read either by title or by summary of title. Introduction constitutes the first reading of
16 the bill.

17 **40-140. Second reading -- bill reproduction.** (1) If the majority of a house adopts a recommendation
18 for the passage of a bill originating in that house after the bill has been returned from a committee with
19 amendments, the bill and its version status must be posted online and, if printed, the bill must be reproduced on
20 yellow paper with all amendments incorporated into the copies.

21 (2) If a bill has been returned from a committee without amendments, an indication must be made
22 online on the bill status page. If the bill is printed, only the first sheet must be reproduced on yellow paper, and
23 the remainder of the text may be incorporated by reference to the preceding version of the entire bill.

24 (3) A bill requested by and heard by a joint select or joint special committee, as provided in 40-40(5)(b),
25 may be referred directly to second reading. If the bill is passed by the house of origin, the bill must be
26 transmitted to the other house, and if the bill was not amended, it may be placed on second reading without the
27 need for referral to a committee.

28 **40-150. Engrossing.** (1) When a bill has been reported favorably by Committee of the Whole of the

1 house in which it originated and the report has been adopted, the bill must be engrossed if the bill is amended.
2 Committee of the Whole amendments must be included in the engrossed bill. If the bill is not amended, the bill
3 must be sent to printing. The bill must be placed on the ~~calendar-agenda~~ for third reading on the legislative day
4 after receipt.

5 (2) Copies of the engrossed bill must be ~~distributed~~ available to members electronically. If also printed,
6 the engrossed bill must be reproduced on blue paper. If a bill is unamended by the Committee of the Whole and
7 contains no clerical errors, it is not required to be reprinted. If printed, only the first sheet must be reproduced
8 on blue paper, with the remainder of the text incorporated by reference to the preceding version of the entire
9 bill.

10 (3) If a bill is amended by a standing committee in the second house, the amendments must be
11 engrossed and the engrossed bill posted online. If the engrossed bill is also printed, the amendments must be
12 included in a tan-colored bill and distributed in the second house for second reading consideration. If the bill is
13 amended in Committee of the Whole, the amendments must be engrossed and the engrossed bill posted
14 online. If the engrossed bill is also printed, the amendments must be included in a salmon-colored reference bill
15 and distributed in the second house for third reading. If the bill passes on third reading, the reference bill must
16 be posted online and, if printed, copies distributed in the original house. The original house may request from
17 the second house a specified number of copies of the amendments to be printed.

18 **40-160. Enrolling.** (1) When a bill has passed both houses, it must be enrolled. An original and one
19 duplicate printed copy of the bill must be enrolled, free from all errors, with a margin of two inches at the top
20 and one inch on each side. In sections amending existing statutes, new matter must be underlined and deleted
21 matter must be shown as stricken. The enrolled bill must be posted online.

22 (2) When the enrolling is completed, the bill must be examined by the sponsor.

23 (3) The correctly enrolled bill must be delivered to the presiding officer of the house in which the bill
24 originated. The presiding officer shall sign the original and one copy of the bill not later than the next legislative
25 day after it has been reported correctly enrolled, unless the bill is delivered on the last legislative day, in which
26 case the presiding officer shall sign it that day. The fact of signing must be announced by the presiding officer
27 and entered upon the journal no later than the next legislative day. At any time after the report of a bill correctly
28 enrolled and before the signing, if a member signifies a desire to examine the bill, the member must be

1 transmitted to the Governor unless there is an identified corresponding reduction in an appropriation contained
2 in the general appropriations act.

3 **40-190. Transmittal of bills between houses -- referral -- hearing.** (1) Each house shall transmit to
4 the other with any bill all relevant papers.

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

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

9 **40-200. Transmittal deadlines -- two-thirds vote requirement.** (1) (a) A bill or amendment
10 transmitted after the deadline established in this subsection (1) may be considered by the receiving house only
11 upon approval of two-thirds of its members present and voting. If the receiving house does not so vote, the bill
12 or amendment must be held pending in the house to which it was transmitted.

13 (b) (i) A bill, except for an appropriation bill, a revenue bill, a bill proposing a referendum, a general joint
14 resolution, an interim study resolution, or amendments considered by joint committee, must be transmitted from
15 one house to the other on or before the 45th legislative day.

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

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

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

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

25 (d) (i) Appropriation bills and any bill implementing provisions of a general appropriation bill must be
26 transmitted to the Senate on or before the 67th legislative day. A fund transfer within the state treasury is not an
27 appropriation for purposes of this section.

28 (ii) Senate amendments to appropriation bills must be transmitted by the Senate to the House on or

1 before the 80th legislative day.

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

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

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

10 (4) Interim study resolutions must be transmitted from one house to the other on or before the 85th
11 legislative day.

12 **40-210. Governor's veto.** (1) Except as provided in 40-65 and 40-180, each bill passed by the
13 Legislature must be submitted to the Governor for the Governor's signature. This does not apply to:

14 (a) bills proposing amendments to The Constitution of the State of Montana;

15 (b) bills ratifying proposed amendments to the United States Constitution;

16 (c) resolutions; and

17 (d) referendum measures of the Legislature.

18 (2) If the Governor does not sign or veto the bill within 10 days after its delivery, the bill becomes law.

19 (3) The Governor shall return a vetoed bill to the Legislature with a statement of reasons for the veto.

20 (4) If after receipt of a veto message, two-thirds of the members of each house present approve the bill,
21 it becomes law.

22 (5) If the Legislature is not in session when the Governor vetoes a bill, the Governor shall return the bill
23 with reasons for the veto to the Legislature as provided by law. The Legislature may be polled on a bill that it
24 approved by two-thirds of the members present or it may be reconvened to reconsider any bill so vetoed
25 (Montana Constitution, Art. VI, Sec. 10).

26 (6) The Governor may veto items in appropriation bills, and in these instances the procedure must be
27 the same as upon veto of an entire bill (Montana Constitution, Art. VI, Sec. 10).

28 **40-220. Response to Governor's veto.** (1) When the presiding officer receives a veto message, the

1 **Rules**

2 **60-05. Source and precedent of legislative rules of the Montana Legislature.** (1) The legislative
3 rules of the Montana Legislature are derived from several sources listed below and take precedence in the
4 following order:

- 5 (a) constitutional provisions;
- 6 (b) adopted legislative rules of the Montana Legislature;
- 7 (c) statutory provisions;
- 8 (d) adopted parliamentary authority; and
- 9 (e) parliamentary law.

10 (2) Legislative rules passed by one legislature or statutory provisions governing the legislative process
11 are not binding on a subsequent legislature.

12 **60-10. Suspension of joint rule -- change in rules.** (1) A joint rule may be repealed, amended, or
13 adopted only with the concurrence of both houses. A motion or a joint rule resolution to repeal, amend, or adopt
14 a joint rule must be referred to the Rules Committee. A joint rule may be repealed, amended, or adopted only
15 with the concurrence of a majority of the members voting in both houses.

16 (2) A joint rule governing the procedure for handling bills may be temporarily suspended by the consent
17 of two-thirds of the members of either house, insofar as it applies to the house suspending it.

18 (3) Any Rules Committee report recommending a change in the joint rules must be referred to the other
19 house. Any new rule or any change in the rules of either house must be transmitted to the other house for
20 informational purposes.

21 (4) Upon adoption of any change, the Secretary of the Senate and the Chief Clerk of the House of
22 Representatives shall provide the office of the Legislative Services Division:

- 23 (a) one copy of all motions or resolutions amending Senate, House, or joint rules; and
- 24 (b) electronic copies of all minutes-audio recording logs and reports of the Rules Committees.

25 **60-20. Reference to Mason's Manual.** Mason's Manual of Legislative Procedure (2020) governs the
26 proceedings of the Senate and the House of Representatives in all cases not covered by these rules.

27 **60-30. Publication and distribution of joint rules.** (1) The Legislative Services Division shall codify
28 and publish in one volume: