

1 SENATE BILL NO. 562

2 INTRODUCED BY C. FRIEDEL

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN
5 AMENDMENT TO ARTICLE IV, SECTION 8, OF THE MONTANA CONSTITUTION TO PROVIDE TERM
6 LIMITS FOR ALL ELECTED STATE, DISTRICT, COUNTY, MUNICIPAL, CITY, AND SCHOOL BOARD
7 OFFICIALS; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Article IV, section 8, of The Constitution of the State of Montana is amended to read:

12 **"Section 8. Limitation on terms of office.** (1) The secretary of state or other authorized official
13 shall not certify a candidate's nomination or election to, or print or cause to be printed on any ballot the name of
14 a candidate for, one of the following offices if, at the end of the current term of that office, the candidate will
15 have served in that office or had he not resigned or been recalled would have served in that office:

16 (a) 8 or more years in any 16-year period as governor, lieutenant governor, secretary of state,
17 state auditor, attorney general, or superintendent of public instruction;

18 (b) 8 or more years in any 16-year period as a state representative;

19 (c) 8 or more years in any 16-year period as a state senator;

20 (d) 6 or more years in any 12-year period as a member of the U.S. house of representatives; and

21 (e) 12 or more years in any 24-year period as a member of the U.S. senate.

22 (2) When computing time served for purposes of subsection (1), the provisions of subsection (1)
23 do not apply to time served in terms that end during or prior to January 1993.

24 (3) (a) Except as provided in subsection (3)(b), the secretary of state or other authorized official
25 may not certify a candidate's nomination or election to, or print or cause to be printed on any ballot the name of
26 a candidate for, a state office not listed in subsection (1), or for a district, county, municipal, city, or school
27 district election if, at the end of the current term of that office, the candidate will have served two or more terms
28 in that office or, had the candidate not resigned or been recalled, would have served two or more terms in that

1 office.

2 (b) The secretary of state or other authorized official may certify a candidate's nomination or
3 election to, or print or cause to be printed on any ballot the name of a candidate for, a state office not listed in
4 subsection (1), or for a district, county, municipal, city, or school district election if the candidate has been out of
5 office for at least 2 terms for that office or for 8 years, whichever is longer.

6 (4) When computing time served for the purposes of subsection (3), the provisions of subsection
7 (3) do not apply to time served in terms that end during or prior to January 2025.

8 ~~(3)~~(5) Nothing contained herein shall preclude an otherwise qualified candidate from being certified
9 as nominated or elected by virtue of write-in votes cast for said candidate."
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11 NEW SECTION. Section 2. Severability. If a part of [this act] is invalid, all valid parts that are
12 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
13 the part remains in effect in all valid applications that are severable from the invalid applications.
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15 NEW SECTION. Section 3. Two-thirds vote required. Because [section 1] is a legislative proposal
16 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
17 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.
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19 NEW SECTION. Section 4. Effective date. [This act] is effective on approval by the electorate.
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21 NEW SECTION. Section 5. Applicability. [This act] applies to full terms to which a candidate is
22 elected that begin on or after January 1, 2025.
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24 NEW SECTION. Section 6. Submission to electorate. [This act] shall be submitted to the qualified
25 electors of Montana at the general election to be held in November 2024 by printing on the ballot the full title of
26 [this act] and the following:

27 YES on Constitutional Amendment ____.

28 NO on Constitutional Amendment ____.

