

SENATE BILL NO. 563

INTRODUCED BY K. BOGNER, S. FITZPATRICK, J. ELLSWORTH

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE XII OF THE MONTANA CONSTITUTION TO CREATE THE MENTAL HEALTH TRUST FUND; PROVIDING FOR THE PROTECTION OF THE TRUST FUND IN THE AMOUNT OF \$50 MILLION UNLESS APPROPRIATED BY A MAJORITY OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE FOR THE STATE'S MENTAL HEALTH PRIORITIES; PROVIDING FOR THE APPROPRIATION OF INTEREST, INCOME, AND A PORTION OF THE PRINCIPAL FOR THE STATE'S MENTAL HEALTH PRIORITIES; AND PROVIDING FOR THE APPROPRIATION OF INTEREST, INCOME, AND A PORTION OF THE PRINCIPAL BY TWO-THIRDS OF ALL THE MEMBERS OF THE LEGISLATURE FOR OTHER MEASURES.

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

NEW SECTION. Section 1. Article XII of The Constitution of the State of Montana is amended by adding a new section 5 that reads:

Section 5. Mental health trust fund. (1) The legislature shall provide for a fund to be known as the mental health trust fund of the state of Montana that is to be funded as provided by law.

(2) The principal of the mental health trust fund must forever remain inviolate in an amount of fifty million dollars (\$50,000,000) unless appropriated by vote of a majority of the members of each house of the legislature for the state's mental health priorities.

(3) The interest and income generated from the mental health trust fund may be appropriated by a majority vote of each house of the legislature to fund the state's mental health priorities as provided by law.

(4) The principal and the interest and income generated from the mental health trust fund may be appropriated for other measures by a vote of two-thirds of all the members of the legislature.

NEW SECTION. Section 2. Two-thirds vote required. Because [section 1] is a legislative proposal

1 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
2 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

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4 NEW SECTION. **Section 3. Submission to electorate.** [This act] shall be submitted to the qualified
5 electors of Montana at the general election to be held in November 2024 by printing on the ballot the full title of
6 [this act] and the following:

7 YES on Constitutional Amendment ____.

8 NO on Constitutional Amendment ____.

9 - END -