

1 HOUSE BILL NO. 840

2 INTRODUCED BY L. SCHUBERT, T. SHARP, T. MILLETT, C. COCHRAN, L. DEMING, N. DURAM, C.

3 HINKLE, J. HINKLE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A JUDICIAL BRANCH INDEPENDENCE
6 INVESTIGATION COMMITTEE; PROVIDING DUTIES AND MEMBERS; PROVIDING APPROPRIATIONS;
7 PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN EFFECTIVE DATE AND A
8 TERMINATION DATE."

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

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12 NEW SECTION. **Section 1. Judicial branch independence investigation committee.** (1) (a) There
13 is a committee to investigate district court judges and supreme court justices to determine their independence
14 and the quality of their rulings and to disseminate this information. The committee may establish standards to
15 determine the sufficiency of rulings and measurements as needed.

16 (2) The committee consists of nine legislators appointed as follows:

17 (a) five members of the house of representatives appointed by the speaker of the house; and

18 (b) four members of the senate appointed by the president of the senate.

19 (3) The appointments must be made within 30 days of [the effective date of this act]. A vacancy on
20 the committee must be filled in the same manner as the original appointment.

21 (4) The committee shall elect a presiding officer and a vice presiding officer.

22 (5) The committee shall report its findings to the law and justice interim committee and disseminate
23 information broadly by any means the committee determines effective and within the limits of its budget.

24 (6) The committee may contract to perform the investigation and evaluation processes required by
25 this section. The legislative services division shall provide staff services to the committee.

26 (7) A committee member is entitled to salary and expenses as provided in 5-2-302.

27 (8) The committee shall complete its work by September 15, 2028, but may not meet when the
28 legislature is meeting in a regular session.

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2 NEW SECTION. Section 2. Appropriation. (1) There is appropriated from the general fund to the
3 legislative services division:

4 (a) \$400,000 for the biennium ending June 30, 2027, for the purposes of conducting the work
5 required by [section 1]; and

6 (b) \$73,000 for the biennium ending June 30, 2027, for the purposes of reimbursing the members
7 as provided in [section 1(7)].

8 (2) The appropriations in subsection (1) are authorized to continue in the biennium beginning July
9 1, 2027.

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11 NEW SECTION. Section 3. Contingent voidness. (1) Pursuant to Joint Rule 40-65, if [this act] does
12 not include an appropriation prior to being transmitted to the governor, then [this act] is void.

13 (2) If the appropriation in [section 2] is vetoed and the veto is not overridden, then [this act] is void.

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15 NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2025.

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17 NEW SECTION. Section 5. Termination. [This act] terminates December 31, 2028.

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