

HOUSE BILL NO. 322

INTRODUCED BY L. SCHUBERT, R. GREGG, T. MILLETT, A. REGIER, B. LER, R. MINER, K. ZOLNIKOV, L.

DEMING, B. USHER, N. DURAM, B. MITCHELL, J. TREBAS

A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE NUMBER OF ASSOCIATE JUSTICES ON THE SUPREME COURT; PROVIDING FOR THE ACCOMPLISHMENT OF THE REDUCTION; AMENDING SECTION 3-2-101, MCA; AND PROVIDING EFFECTIVE DATES."

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

Section 1. Section 3-2-101, MCA, is amended to read:

"3-2-101. Number, election, and term of office. The supreme court consists of a chief justice and ~~six~~ four associate justices who are elected by the qualified electors of the state at large at the general state elections next preceding the expiration of the terms of office of their predecessors, respectively, and hold their offices for the term of 8 years from and after the first Monday of January next succeeding their election."

NEW SECTION. Section 2. Reduction in number of associate justices -- how accomplished.

The two associate justice positions to be eliminated by [this act] are seat number ~~5~~ 1 and seat number ~~6~~ 2, the terms for which run from January ~~2024~~ 2023 to January ~~2029~~ 2031. There will be no elections for these positions in the general election to be held November ~~2028~~ 2030.

NEW SECTION. Section 3. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. Section 4. Effective dates. (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 1] is effective the first Monday of January ~~2029~~ 2031.

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