



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

<b>Bill #</b>	Ballot Initiative #27	<b>Title:</b>	Amend Article XIV, section 9, of the Montana Constitution
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<b>Primary Sponsor:</b>	Raph Graybill	<b>Status:</b>	As Introduced
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- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** Ballot Initiative #27 amends the Montana Constitution to clarify that the legislature cannot restrict, burden, influence, or interfere with the people's power to enact laws by initiative, except for the neutral administration of the initiative process, and adds language limiting the legislature's ability to amend an initiative measure approved by the voters.

The ballot initiative has no fiscal impact on the state since the proposed changes do not impose additional duties on the Legislative Branch or the Office of the Secretary of State.

### FISCAL ANALYSIS

#### Assumptions:

##### **Legislative Branch**

- Ballot Initiative #27 amends the Montana Constitution regarding the ability of the people to amend the constitution by ballot initiative. It provides that the legislature from cannot restrict, burden, influence, or interfere with the people's right to amend the constitution, and forbids politicians from using state resources to promote their own views about and initiative.

2. This initiative amends Article XIV, section 9, of The Constitution of the State of Montana to add subsections 4 and 5:

“(4) The legislature may not restrict, burden, influence, or interfere with the people’s power to enact constitutional amendments by initiative, except for the neutral administration of the initiative process. State resources may not be used to promote the views of the legislature or other elected officials about a specific ballot initiative. The fiscal impact of a proposed ballot initiative must be determined using generally accepted methods and may not be manipulated to favor or disfavor an initiative.

“(5) A law passed by the legislature may be challenged on the grounds of noncompliance with subsection (4) only within 2 years after the legislation’s effective date.”

3. For the purposes of this fiscal note, it is assumed that this amendment will not impose additional duties on the Legislative Branch’s staff.

**Office of the Secretary of State**

4. There are no additional duties added, or removed, from the Office of the Secretary of State in Ballot Initiative #27.

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*Sponsor’s Initials*

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*Date*

  
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*Budget Director’s Initials*

*2-7-22*  
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*Date*