



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF ETHICS; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE.

WHEREAS, Article XIII, section 4, of the Montana Constitution states: "The legislature shall provide a code of ethics prohibiting conflict between public duty and private interest for members of the legislature and all state and local officers and employees"; and

WHEREAS, the Legislature enacted a code of ethics in 1977, which is codified in Title 2, chapter 2, part 1, MCA; and

WHEREAS, the Joint Rules of the Legislature, the Senate Rules, and the House Rules also provide ethics rules applicable to the Legislature; and

WHEREAS, under section 2-2-136(1)(a), MCA, the Commissioner of Political Practices has a role in the enforcement of the code of ethics but does not have jurisdiction for a complaint concerning a legislator if a legislative act is involved in the complaint; and

WHEREAS, the Senate Ethics Committee and the body of the Senate have considered ethical issues during this 69th legislative session and that experience may guide a study.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council study ethics issues. The study must include:

- (1) developing a process grounded in legislative procedure for adjudicating ethics issues;
- (2) determining where there are overlaps or gaps between the authority of the Legislature and the Commissioner of Political Practices; and

(3) considering revisions to the code of ethics and legislative rules that the Legislative Council considers necessary and expedient.

BE IT FURTHER RESOLVED, that all aspects of the study be concluded prior to September 15, 2026.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations, be reported to the rules committees of the 70th Legislature and to the 70th Legislature.

- END -

I hereby certify that the within bill,
SJ 28, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2025.

Speaker of the House

Signed this _____ day
of _____, 2025.

SENATE JOINT RESOLUTION NO. 28

INTRODUCED BY P. FLOWERS, F. MANDEVILLE, A. OLSEN, T. MCGILLVRAY, C. NEUMANN, C. POPE, L.

SMITH

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