

HOUSE BILL NO. 457

INTRODUCED BY M. MONFORTON, A. DOANE, C. FISCUS, J. HINKLE, D. MORTENSEN, M. NOLAND,  
R. PINOCCI, S. STAFFANSON

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN  
AMENDMENT TO ARTICLE II, SECTION 12, OF THE MONTANA CONSTITUTION TO CONFORM THE  
EXISTING MONTANA CONSTITUTION TO MODERN CULTURE BY REMOVING LANGUAGE REGARDING  
CONCEALED WEAPONS INITIALLY USED IN THE 1884 MONTANA TERRITORIAL CONSTITUTION; AND  
PROVIDING AN EFFECTIVE DATE."

WHEREAS, the language of Article II, section 12, of the Montana Constitution is unchanged since it was  
first adopted as part of the Montana Territorial Constitution in 1884; and

WHEREAS, the language of this provision was retained in the 1889 Montana Statehood Constitution and  
the 1972 Montana Constitution; and

WHEREAS, the exception concerning concealed weapons that was included in the 1884 Territorial  
Constitution was a feature of the culture at that time; and

WHEREAS, in 1884, a person who concealed a firearm was considered to be an undesirable person;  
and

WHEREAS, Montana culture has changed in the 131 years since the adoption of the Montana Territorial  
Constitution; and

WHEREAS, since lawful citizens openly carrying firearms may be offensive or disturbing to some  
individuals, a new culture has evolved in Montana that views the discreet carrying of firearms to be more culturally  
acceptable.

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

**Section 1.** Article II, section 12, of The Constitution of the State of Montana is amended to read:

**"Section 12. Right to bear arms.** The right of any person to keep or bear arms in defense of his own  
home, person, and property, or in aid of the civil power when thereto legally summoned, shall not be called in  
question, ~~but nothing herein contained shall be held to permit the carrying of concealed weapons.~~"

