

HOUSE BILL NO. 457

INTRODUCED BY M. MONFORTON

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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.~~"

