

SENATE BILL NO. 203

INTRODUCED BY K. BOGNER

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II, SECTION 11, OF THE MONTANA CONSTITUTION TO EXPLICITLY INCLUDE ELECTRONIC DATA AND COMMUNICATIONS IN SEARCH AND SEIZURE PROTECTIONS."

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

Section 1. Article II, section 11, of The Constitution of the State of Montana is amended to read:

"Section 11. Searches and seizures. The people shall be secure in their persons, papers, electronic data and communications, homes, and effects from unreasonable searches and seizures. No warrant to search any place, ~~or~~ to seize any person or thing, or to access electronic data or communications shall issue without describing the place to be searched or the person or thing to be seized, or without probable cause, supported by oath or affirmation reduced to writing."

NEW SECTION. **Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

NEW SECTION. **Section 3. Submission to electorate.** [This act] shall be submitted to the qualified electors of Montana at the general election to be held in November 2022 by printing on the ballot the full title of [this act] and the following:

☐ YES on Constitutional Amendment ____.

☐ NO on Constitutional Amendment ____.

- END -