



### This Week at the Montana Legislature February 28, 2021

#### Happy Transmittal Week, folks!

There is a very special time in every legislative session. You love it, you hate it, you're glad it's finally here, and you wish it was over before it even started. It's called Transmittal Week, our friends, and it has arrived.

So, what is it? Every regular legislative session is up to 90 days long and by the end of Day 45, general bills\* must pass completely (aka "be transmitted") out of their chamber of origin. For example, [Rep. Skees' LC 3124](#) needs to be heard and passed in a House committee, then heard and passed on both Second and Third readings on the House floor by the closing gavel this Wednesday (Day 45), or it's done for. Bills that make it through their original chamber and to the other side are allowed to continue on their *How-A-Bill-Becomes-A-Law* journey.

Seems simple enough, right? We wish. What it means in reality is that the days leading up to that Day 45 transmittal deadline are *especially* hectic as legislators rush to pass or block bills. This session in particular, there has been some speculation around the onslaught of anti-reproductive health and anti-LGBTQ last-minute legislation in recent days. PPAMT is not alone in wondering if some legislators have been taking advantage of this very busy time to introduce and pass harmful bills in the hopes that everyone will be too distracted or too exhausted to fight back.

Rest assured that the Planned Parenthood Advocates of Montana legislative team won't be letting our foot off the gas even for a second, and we know that you won't either. Read on for what the next few days may hold in store and be sure to [sign](#)

[up for our action alerts](#) or stay tuned to our [Facebook](#), [Twitter](#), and [Instagram](#) pages for short-notice updates — there will almost certainly be a few!

*\*Note that this only applies to General Bills that don't require funding from the state's budget, propose referenda ([like HB 167](#)), or generate revenue for the state, all of which have an extra two-plus weeks to pass.*

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## Take Action

**Tell your House representative to vote No on House Bill 337.**

[House Bill 337 is an attempt to give a fertilized egg, a zygote, or a fetus all of the same legal rights that you have as a Montanan.](#) That means zero access to safe abortion and potentially even a ban on common forms of birth control such as the pill, IUDs, or emergency contraception — even for victims of rape or incest.

HB 337 has nothing to do with the health of Montanans. It is a blatant extremist attempt at banning abortion altogether. [The bill has not yet been voted on in the House, so please tell your representative that they must vote No on HB 337 and respect our private health care decisions!](#)

Interested in writing an LTE for your local newspaper, testifying on a bill, or learning how else to make your voice heard during the 67th Legislative Session? Contact Julia, 406-561-7649 or ([info@ppamt.org](mailto:info@ppamt.org))!

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## Bills We're Fighting This Week

**[HB 337: Constitutional amendment to define 'person'](#)** by Rep. Caleb Hinkle (R), House District 68, would change the definition of 'person' in Montana. *Because the change would define "fertilization or conception" as the beginning of life, it would give a fertilized egg or zygote the same rights that you have as a Montanan. HB 337 could even ban common forms of birth control such as the pill, IUDs, and emergency contraception — even for victims of rape or incest.* As an amendment to our state constitution, it requires a 2/3 majority 'Yes' vote from the legislature as a whole in order to be placed on the ballot for voters to ultimately

decide in the next general election. [\*\*Tell House members to vote No on this extremist attempt to ban abortion in Montana!\*\*](#)

**SB 315: Adopt the Born-Alive Infant Protection Act by Sen. David Howard (R), Senate District 29**, is the policy bill version of [HB 167](#), which we previously opposed. As a reminder, House Bill 167 would place anti-abortion language on the next general election ballot and leave it up to Montanans to vote for or against our constitutional right to abortion and personal privacy. Because SB 315 is a regular policy bill, it is up to legislators to decide if this false, stigmatizing, anti-abortion narrative should be made law. ***This bill passed out of Senate Judiciary Committee last week and we ask that you please call or email your senator and tell them to vote No on SB 315!***

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### Legislation We're Watching

Last week, House Bills [136](#), [140](#), [167](#), and [171](#) passed out of the Senate. HBs 136, 140, and 171 will soon head to the Governor's desk for his signature. If he signs them, they will be made law and added to the Montana Code Annotated. Because HB 167 was amended in the Senate, it heads back to the House for them to approve the changes. The Montanan Reproductive Rights Coalition, which PPAMT leads, will be submitting veto requests to the Governor's office just as we have in the past when anti-reproductive health bills have passed out of both legislative chambers.

[\*\*LC 3124: Prohibit abortion except in cases of rape or incest or to save the mother's life by Rep. Derek Skees \(R\), House District 11\*\*](#), is almost comical in its transparency. As drafted, the piece does exactly what it says — ban all abortion outside of those three instances. The current language actually removes exceptions for preservation of the health of the pregnant patient or "a delay [that] would create serious risk or substantial and irreversible impairment of a major bodily function." Note that this still has an LC number, meaning that it has *not yet* been introduced as a bill. And with transmittal deadline only a few days away, LC 3124 would need to be 1) Heard and passed in a House committee, then 2) Heard and passed on both Second and Third readings on the House floor in order for it to survive to see next week and be considered in the Senate. ***But as you all know by now, anything can happen in Montana's 67th Legislative Session so stay tuned!***

**SB 215: Religious Freedom Restoration Act by Sen. Carl Glimm (R), Senate District 2**, would allow any person, corporation, or other entity to use religion as an excuse to discriminate against and harm others. Examples of this bill's dangerous potential include a religiously-affiliated school firing a teacher for becoming pregnant while not married, an employer justifying racial discrimination, a pharmacy refusing to fill birth control prescriptions, or a school counselor refusing to help a gay student. As members of the Free & Fair Coalition, we are joining with partner organizations to fight this baseless attack that would have an outsized impact on LGBTQ+ Montanans. This bill made it through the Second Reading and we will be keeping a close eye on Monday's Third Reading. ***Stay tuned for updates from us!***

**HB 112: Require interscholastic athletes to participate under sex assigned at birth by Rep. John Fuller (R), House District 8**, would ban transgender athletes from participating in sports in Montana public schools. The bill was passed in the House and will in time be heard in the Senate Judiciary Committee. ***Please call your Senator and tell them to vote No on House Bill 112!***

**SB 99: [Requiring parents to opt-in to sexual education in schools, Prohibiting abortion providers from offering education by Sen. Cary Smith \(R\), Senate District 27](#)**, as amended, would ban the use of educational resources offered by abortion providers such as Planned Parenthood of Montana. Comprehensive sex education covers everything from birth control and abstinence to STD prevention and safe, healthy relationships. Our young people must have every opportunity to equip themselves with the knowledge and skills they need to make healthy decisions. SB 99 will be heard in the House Education Committee after the transmittal break, on March 10.

**HB 229: Prohibiting health insurance plans offered through the Health Insurance Exchange from covering abortion services [by Rep. Jane Gillette \(R\), House District 64](#)**, would mean that people who rely on the Affordable Care Act's Health Insurance Exchange would not have any options to get coverage for abortion. Banning this coverage from Exchange plans would place safe, legal abortion out of reach for the lowest income families in Montana. This bill was assigned to Senate Judiciary Committee three weeks ago but still hasn't had its hearing scheduled. ***Follow our social media channels — [Facebook](#), [Twitter](#), and [Instagram](#) — for updates on how to take action!***

**[SB 245: Implement medical ethics and diversity act requested by Sen. Keith Regier \(R\), Senate District 3](#)**, would make it legal for health care workers to refuse care, for example a receptionist could legally refuse to admit a trans patient

to the hospital. This bill was passed in Senate Public Health, Welfare & Safety Committee last week and we are keeping an eye on the Senate floor debate.

**[HB 427: Provide for youth health protection by John Fuller \(R\), House District 8](#)**, is the reincarnation of House Bill 113 — the anti-trans bill that prohibits surgical care for trans, non-binary, or Two-Spirit youth in Montana. This is yet another attempt by legislators to insert themselves into the personal, private health care decisions. It has passed out of the House and will next be heard in Senate Judiciary Committee, though a hearing date has not yet been assigned.

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**Questions about these bills or how you can help us fight them? [Contact Julia!](#)**

[Visit our website.](#)

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