

1 HOUSE BILL NO. 618

2 INTRODUCED BY G. NIKOLAKAKOS, S. FITZPATRICK, B. LER, K. ZOLNIKOV, B. MITCHELL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA INDIVIDUAL FREEDOM ACT;
5 PROHIBITING STATE AND LOCAL GOVERNMENT AGENCIES AND THE DEPARTMENT OF MILITARY
6 AFFAIRS FROM EXPENDING FUNDS FOR MEMBERSHIPS, GOODS, OR SERVICES FROM
7 ORGANIZATIONS THAT DISCRIMINATE AND FROM EXPENDING FUNDS ON DIVERSITY, EQUITY, AND
8 INCLUSION OR ON POLITICAL OR SOCIAL ACTIVISM; PROVIDING INVESTIGATORY AUTHORITY TO
9 THE ATTORNEY GENERAL; PROVIDING RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; AND
10 PROVIDING AN EFFECTIVE DATE."

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

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14 NEW SECTION. **Section 1. Short title.** [Sections 1 through 5] may be cited as the "Montana
15 Individual Freedom Act".

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17 NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 5], unless the context clearly
18 indicates otherwise, the following definitions apply:

19 (1) "Diversity, equity, and inclusion" means any program or initiative of a state or local government
20 agency established for the purpose of:

21 (a) influencing hiring, employment, or recruitment practices with respect to race, color, ethnicity,
22 national origin, sex, disability, or religion, other than through the use of color-blind and sex-neutral hiring or
23 recruitment processes in accordance with any applicable state and federal antidiscrimination laws;

24 (b) promoting differential treatment of or providing special benefits to individuals on the basis of
25 race, color, ethnicity, national origin, sex, disability, or religion;

26 (c) promoting policies or procedures designed or implemented in reference to race, color, ethnicity,
27 national origin, sex, disability, or religion, other than policies or procedures approved in writing by the attorney
28 general's office for the sole purpose of ensuring compliance with any applicable court order or state or federal

1 law; or

2 (d) conducting trainings, programs, or activities designed or implemented in reference to race,
3 color, ethnicity, national origin, sex, disability, or religion, other than trainings, programs, or activities developed
4 by an attorney and approved in writing by the attorney general's office for the sole purpose of ensuring
5 compliance with any applicable court order or state or federal law.

6 (2) "State or local government agency" means:

7 (a) any branch, department, office, board, bureau, commission, agency, university unit, college, or
8 other instrumentality of state government; or

9 (b) a county, city, town, school district, or other unit of local government and any instrumentality of
10 local government.

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12 NEW SECTION. **Section 3. Government agencies -- certain mandatory trainings and**

13 **employment practices prohibited -- expenditure of funds prohibited.** (1) A state or local government
14 agency may not expend any funds, regardless of source, to purchase membership in or goods and services
15 from any organization that discriminates on the basis of race, color, ethnicity, national origin, sex, disability, or
16 religion.

17 (2) A state or local government agency may not expend any state, local, or federal funds to
18 promote, support, or maintain any programs that advocate for diversity, equity, and inclusion or to promote or
19 engage in political or social activism.

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21 NEW SECTION. **Section 4. Department of military affairs or militia -- certain mandatory**

22 **trainings and recruitment practices prohibited -- expenditure of funds prohibited.** (1) The department of
23 military affairs or militia may not expend any funds, regardless of source, to purchase membership in or goods
24 and services from any organization that discriminates on the basis of race, color, ethnicity, national origin, sex,
25 disability, or religion.

26 (2) The department of military affairs or militia may not expend any state, local, or federal funds to
27 promote, support, or maintain any programs that advocate for diversity, equity, and inclusion or to promote or
28 engage in political or social activism.

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2 NEW SECTION. **Section 5. Enforcement.** (1) The attorney general has the authority to investigate
3 alleged violations of [sections 1 through 5].

4 (2) The attorney general may adopt rules to establish procedures for investigating violations of
5 [sections 1 through 5].

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7 NEW SECTION. **Section 6. Codification instruction.** [Sections 1 through 5] are intended to be

8 codified as a new chapter in Title 49, and the provisions of Title 49 apply to [sections 1 through 5].

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10 NEW SECTION. **Section 7. Effective date.** [This act] is effective July 1, 2025.

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