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Referendum: Apply for admission

Heruntergeladen am 30.06.2025

<https://fimportal.de/xzufi-services/124913478/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99030007037001, 99030007037001
Leistungsbezeichnung I	Referendum: Apply for admission
Leistungsbezeichnung II	
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Bürgerengagement (030)
Verrichtungskennung	Feststellung (037)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.01.2023

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Fachlich freigegeben durch	Ministry of the Interior, Building and Digitalization Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/gg/art_29.html https://www.gesetze-im-internet.de/gg/art_29.html https://www.landesrecht-mv.de/bsmv/document/jlr-Ve rfMVV4Art60 https://www.landesrecht-mv.de/bsmv/document/jlr-Va GMVV3P11 https://www.landesrecht-mv.de/bsmv/document/jlr-Vo BegGDVMVpP16 https://www.landesrecht-mv.de/bsmv/document/jlr-Ve rfMVV4Art60 https://www.landesrecht-mv.de/bsmv/document/jlr-Va GMVV3P11 https://www.landesrecht-mv.de/bsmv/document/jlr-Vo BegGDVMVpP16
Teaser	A referendum is the right of the people to participate in the legislation of the state. Citizens entitled to vote in state elections can, under certain conditions, submit a bill to the state parliament for a resolution.
Volltext	<p>A petition for a referendum must be based on an elaborate, reasoned draft bill that aims to</p> <ul style="list-style-type: none"> • the enactment, • the amendment or • the repeal of a state law. <p>Budget laws, tax laws and salary laws are not open to a referendum.</p> <p>A petition for a referendum may be submitted by at least three persons</p> <p>a) following a popular initiative with an identical bill that has not been dealt with or rejected by the Landtag within 3 months, or</p> <p>b) directly.</p> <p>In the run-up to a referendum, their representatives may seek advice from the Land electoral administration with regard to compliance with formal</p>

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requirements.

Among other things, 100,000 signatures of persons entitled to vote in state elections must be collected for the referendum to be approved. The collection of the required signatures is the responsibility of the representatives of the referendum petition (free signature collection) and must be carried out on signature lists (sample according to Annex 1 of the Ordinance on the Implementation of the VaG M-V). The state parliament must be notified in writing of the start of the free collection of signatures, enclosing the draft bill. In the case of a free collection of signatures, the signatures must be submitted within five months of its commencement, otherwise within the last six months prior to receipt of the application for approval by the Landtag. Only eligible voters from MV may sign. In the case of a petition for a referendum in accordance with option a), a display of signature lists (sample in accordance with Annex 2 of the Ordinance on the Implementation of the VaG M-V) may also be requested at the municipal authorities for a period of two months.

Once the collection of signatures has been completed, the representatives of the referendum petition submit the application for approval of the referendum petition to the President of the Landtag. The application must include the following

1. an elaborated, reasoned draft bill,
2. 100,000 signatures of persons eligible to vote in the Landtag election,
3. the names and addresses of at least three persons representing the petition for a referendum.

The President of the Landtag then asks the Land electoral administration to examine the formal requirements for admission. Within three months of receipt of the application for approval of the petition for a referendum by the Land parliament, the Land electoral administration checks whether the formal requirements for admissibility have been met, in particular whether the number of 100,000 valid signatures has been reached. The state electoral

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administration then informs the representatives of the referendum petition of the decision on admissibility.

If the petition for a referendum is approved, the state parliament discusses the draft bill at its next possible session. If parliament rejects the bill, a referendum is held on the bill. Those entitled to vote can vote "yes" or "no" on the bill. The procedure corresponds to that of an election. The bill is passed if it

- it receives a majority of the valid votes cast and
- in the case of simple laws, this majority consists of at least a quarter of all

of all those entitled to vote. In the case of a constitutional amendment

- two thirds of all votes cast and
- at least half of all those entitled to vote must have voted in favor.

Erforderliche Unterlagen

- an elaborated and reasoned draft law
- at least 100,000 signatures on signature lists

Formal requirements for a signature list: Front page:

- a heading clearly stating the purpose of the collection of signatures
- the full text of the draft law together with the justification
- the names and addresses of the representatives of the petition for a referendum (at least 3 persons)

reverse side:

- a heading that clearly states the purpose of the signature collection and explicitly refers to the draft law on the front page
- a signature block with 10 lines if possible and the columns: Lfd. No.; surname, first name; date of birth; zip code, place of residence, street; personal signature; date of signature
- The front and back of the signature list are firmly connected (printed on both sides)

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	the individual sheets must be numbered consecutively.
Voraussetzungen	<p>The application for approval of a referendum must include the following:</p> <ol style="list-style-type: none"> 1. an elaborated and reasoned draft bill, 2. a list of the signatures of at least 100,000 persons entitled to vote in Mecklenburg-Vorpommern at the time of their signature; the signatures must have been submitted within the last six months before the application is received by the Landtag, 3. the names and addresses of the representatives of the petition for a referendum and <p>in the case of a free collection of signatures, the signatures in accordance with number 2 must have been submitted within five months of the start of the collection.</p>
Kosten	The representatives of the petition for a referendum shall bear the costs of preparing the draft, producing the signature lists and collecting the signatures.
Verfahrensablauf	<p>In the run-up to a petition for a referendum, its representatives may seek advice from the Land electoral administration with regard to compliance with formal requirements.</p> <p>The representatives of the referendum petition shall notify the President of the Landtag in writing of the start of the free collection of signatures and enclose the draft bill. The President of the Landtag shall immediately forward the notification to the Land electoral administration.</p> <p>Once the collection of signatures has been completed, the representatives of the referendum petition submit the application for approval of the referendum petition to the President of the Landtag.</p> <p>The President of the Landtag then asks the Land electoral administration to examine the formal requirements for approval.</p>
Bearbeitungsdauer	The Land electoral administration shall decide on the admissibility of the petition for a referendum within

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three months. If the petition for a referendum is admissible, the President of the Landtag shall arrange for it to be dealt with immediately upon receipt at the next possible Landtag session in accordance with the Landtag's rules of procedure. If the Landtag adopts the requested bill essentially unchanged within six months, a vote on the petition for a referendum (referendum) pursuant to Article 60 of the Land Constitution is not required.

Frist

- The supporting signature for a free collection of signatures for a referendum petition must be provided within five months of its commencement, otherwise within the last six months prior to receipt of the application for approval of the referendum petition by the Land parliament.
- The Land electoral administration shall decide on the admissibility of the petition for a referendum within three months of receipt of the application for registration by Parliament.
- The President of the Landtag shall arrange for the approved referendum petition to be dealt with immediately upon receipt at the next possible Landtag session in accordance with the rules of procedure of the Landtag.
- If the Landtag adopts the requested bill essentially unchanged within six months, there shall be no vote on the referendum in accordance with Article 60 of the Land Constitution.
- If the Landtag rejects a bill submitted by referendum or does not make a decision within six months, a referendum on the bill shall take place at the earliest three months and at the latest six months after the rejection decision or expiry of the deadline.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

A referendum is the right of the people to participate in the legislation of the state. Citizens entitled to vote in state elections can, under certain conditions, submit a bill to the state parliament for a resolution.

Ansprechpunkt

Representatives of the petition for a referendum may

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	write to the Land electoral administration for advice on the necessary compliance with formal requirements for a planned referendum.
Zuständige Stelle	The application for approval of a petition for a referendum must be submitted to Parliament, represented by the President.
Formulare	
Ursprungsportal	Referendum: Apply for admission, Volksbegehren: Zulassung beantragen