

HOUSE BILL NO. 684

INTRODUCED BY M. REGIER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE PROVISIONS OF THE GENERAL
5 APPROPRIATIONS ACT; GENERALLY REVISING LAWS RELATED TO THE JUSTICE SYSTEM; CREATING
6 STATE SPECIAL REVENUE ACCOUNTS; PROVIDING THAT PRESENTENCE INVESTIGATIONS AND
7 REPORTS ARE AT THE DISCRETION OF THE COURT; REVISING LAWS RELATED TO THE PUBLIC
8 SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; CREATING A PUBLIC SAFETY OFFICER
9 STANDARDS AND TRAINING BUREAU IN THE DEPARTMENT OF JUSTICE; REMOVING THE COUNCIL'S
10 ADMINISTRATIVE ATTACHMENT TO THE DEPARTMENT OF JUSTICE; PROVIDING FOR REPORTING TO
11 THE LAW AND JUSTICE INTERIM COMMITTEE; AMENDING THE DEFINITION OF "TELEWORK"; MAKING
12 REVISIONS RELATED TO THE WORKING INTERDISCIPLINARY NETWORK OF GUARDIANSHIP
13 STAKEHOLDERS; ~~MAKING THE CHILD ABUSE COURT DIVERSION PROGRAM PERMANENT~~; AMENDING
14 SECTIONS ~~2-15-2029, 2-18-101, 3-1-710, 3-1-711, 46-12-211, 46-14-311, 46-18-111, 46-18-112, 46-18-242,~~
15 ~~AND 53-6-1312, MCA; AMENDING SECTION 8, CHAPTER 241, LAWS OF 2017;~~ AMENDING SECTION 28,
16 CHAPTER 368, LAWS OF 2015; REPEALING SECTION 3-1-712, MCA; AND PROVIDING EFFECTIVE DATES
17 AND A TERMINATION DATE."

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

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21 NEW SECTION. **Section 1. Pretrial diversion program state special revenue account.** (1) There
22 is an account in the state special revenue fund established in 17-2-102 to the credit of the judicial branch to be
23 known as the pretrial diversion program account.

24 (2) The purpose of the account is to fund a pilot project in five counties to analyze the costs and benefits
25 of the following:

- 26 (a) the risk associated with an offender being released into the community prior to the offender's trial date;
- 27 and
- 28 (b) the potential or actual savings in jail costs for not having the offender incarcerated during that time.

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30 NEW SECTION. **Section 2. Legislative committees and activities state special revenue account.**



1 (1) There is an account in the state special revenue fund established in 17-2-102 to the credit of the legislative
2 services division to be known as the legislative committees and activities account.

3 (2) The purpose of the account is to provide funding for legislative committees and activities.

4 (3) Expenditures from the account must be approved by the majority and minority leaders of both houses.
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6 **NEW SECTION. Section 3. Public safety officer standards and training bureau.** There is a bureau
7 within the department of justice called the public safety officer standards and training bureau. The purpose of the
8 bureau is to provide staff support to the public safety officer standards and training council established in
9 2-15-2029.

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11 **Section 4.** Section 2-15-2029, MCA, is amended to read:

12 **"2-15-2029. Montana public safety officer standards and training council -- ~~administrative~~**
13 **~~attachment -- rulemaking -- report to law and justice interim committee.~~** (1) (a) There is a Montana public
14 safety officer standards and training council. The council is a quasi-judicial board, as provided for in 2-15-124,
15 and is allocated to the department of justice; established in 2-15-2001, ~~for administrative purposes only as~~
16 ~~provided in 2-15-124, except as provided in subsection (1)(b) of this section~~ except as provided in subsections
17 (1)(b) and (1)(c) of this section.

18 (b) ~~The council may hire its own personnel and independently administer the conduct of its business,~~
19 ~~and 2-15-121(2)(a), (2)(d), and (3)(a) do not apply.~~ The council shall coordinate with the department of justice
20 to hire the bureau chief of the public safety officer standards and training bureau.

21 (c) The council maintains its independent and quasi-judicial authority and duties provided for in 44-4-403.

22 (D) THE COUNCIL SHALL SUPERVISE THE BUREAU CHIEF.

23 (2) The council may adopt rules to implement the provisions of Title 44, chapter 4, part 4. Rules must
24 be adopted pursuant to the Montana Administrative Procedure Act.

25 (3) The department of justice and the public safety officer standards and training council shall report to
26 the law and justice interim committee."

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28 **SECTION 5. SECTION 2-18-101, MCA, IS AMENDED TO READ:**

29 **"2-18-101. Definitions.** As used in parts 1 through 3 and part 10 of this chapter, the following definitions
30 apply: