

HOUSE BILL NO. 114

INTRODUCED BY D. BROWN, STRIZICH

IN THE HOUSE

JANUARY 8, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

JANUARY 9, 1991                   FIRST READING.

JANUARY 18, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 19, 1991                  PRINTING REPORT.

JANUARY 22, 1991                  SECOND READING, DO PASS AS AMENDED.

JANUARY 23, 1991                  ENGROSSING REPORT.

JANUARY 24, 1991                  THIRD READING, PASSED.  
AYES, 96; NOES, 0.

TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 25, 1991                  INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

FIRST READING.

FEBRUARY 5, 1991                  COMMITTEE RECOMMEND BILL BE  
CONCURRED IN AS AMENDED. REPORT  
ADOPTED.

FEBRUARY 9, 1991                  SECOND READING, CONCURRED IN AS  
AMENDED.

FEBRUARY 11, 1991                 THIRD READING, CONCURRED IN.  
AYES, 48; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 11, 1991                   RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 12, 1991

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 114  
 2 INTRODUCED BY Gene Brown

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN  
 5 INSTITUTION FROM WHICH A PERSON ESCAPES OR IS RELEASED FROM  
 6 CONFINEMENT AFTER BEING ACCUSED OR CONVICTED OF A CRIME TO  
 7 NOTIFY CERTAIN LAW ENFORCEMENT OFFICIALS THAT THE PERSON HAS  
 8 LEFT CONFINEMENT."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Notification of escape or  
 12 release from confinement. (1) The notice required by  
 13 subsection (2) must be given if any of the following persons  
 14 escapes or is released from confinement:

15 (a) a person committed to a hospital or mental  
 16 institution after being charged with, found unfit to be  
 17 tried for, or convicted of a criminal offense; or

18 (b) a person confined in a jail or other institution  
 19 pending or during trial for a criminal offense or confined  
 20 in a jail, prison, or other institution after conviction of  
 21 a criminal offense.

22 (2) If a person referred to in subsection (1) escapes  
 23 or is released from confinement, the institution in which he  
 24 was confined shall notify:

25 (a) the sheriff and other law enforcement officials in

1 the county in which the offense occurred;

2 (b) the sheriff and other law enforcement officials in  
 3 the county or counties, if known, in which a victim or the  
 4 victims of the offense reside at the time of the escape or  
 5 release; and

6 (c) the sheriff and other law enforcement officials in  
 7 the county, if known, in which the person intends to reside  
 8 upon leaving confinement.

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY

HOUSE BILL NO. 114

INTRODUCED BY D. BROWN, STRIZICH

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN INSTITUTION FROM WHICH A PERSON ESCAPES OR IS RELEASED FROM CONFINEMENT AFTER BEING ACCUSED OR CONVICTED OF A CRIME TO NOTIFY CERTAIN LAW ENFORCEMENT OFFICIALS THAT THE PERSON HAS LEFT CONFINEMENT."

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

NEW SECTION. Section 1. Notification of escape or

release from confinement. (1) The notice required by subsection (2) must be given if any of the following persons escapes or is released from confinement:

(a) a person committed to a hospital or mental institution-after-being-charged--with;--found--unfit--to--be tried--for;--or--convicted--of--a--criminal--offense HEALTH FACILITY UNDER [TITLE 46, CHAPTER 14]; or

(b) a person confined in a jail or other institution pending or during trial for a criminal offense or confined in a jail, prison, or other institution after conviction of a criminal offense.

(2) If a person referred to in subsection (1) escapes or is released from confinement, the institution in which he was confined shall notify:

(a) the sheriff and OR other law enforcement officials in the county in which the offense occurred;

(b) the sheriff and OR other law enforcement officials in the county or counties, if known, in which a victim or the victims of the offense reside at the time of the escape or release; and

(c) the sheriff and OR other law enforcement officials in the county, if known, in which the person intends to reside upon leaving confinement; AND

(D) THE SHERIFF OR OTHER LAW ENFORCEMENT OFFICIALS IN THE COUNTY IN WHICH THE JAIL, PRISON, HOSPITAL, MENTAL HEALTH FACILITY, OR OTHER INSTITUTION FROM WHICH THE PERSON ESCAPED OR WAS RELEASED IS LOCATED.

(3) A SHERIFF OR OTHER LAW ENFORCEMENT OFFICIALS GIVEN NOTICE UNDER SUBSECTION (2)(D) MAY GIVE THE NOTICE TO ANY LOCAL OR NEIGHBORHOOD WATCH PROGRAM OR PROGRAMS IN THE COUNTY.

-End-

SECOND READING

HB 114



HOUSE BILL NO. 114

INTRODUCED BY D. BROWN, STRIZICH

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN INSTITUTION FROM WHICH A PERSON ESCAPES OR IS RELEASED FROM CONFINEMENT AFTER BEING ACCUSED OR CONVICTED OF A CRIME TO NOTIFY CERTAIN LAW ENFORCEMENT OFFICIALS THAT THE PERSON HAS LEFT CONFINEMENT."

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(a) a person committed to a hospital or mental institution-after-being-charged-with,--found-unfit-to-be-tried-for,--or--convicted-of--a--criminal--offense HEALTH FACILITY UNDER [TITLE 46, CHAPTER 14]; or

(b) a person confined in a jail or other institution pending or during trial for a criminal offense or confined in a jail, prison, or other institution after conviction of a criminal offense.

(2) If a person referred to in subsection (1) escapes or is released from confinement, the institution in which he was confined shall notify:

(a) the sheriff and OR other law enforcement officials in the county in which the offense occurred;

(b) the sheriff and OR other law enforcement officials in the county or counties, if known, in which a victim or the victims of the offense reside at the time of the escape or release; and

(c) the sheriff and OR other law enforcement officials in the county, if known, in which the person intends to reside upon leaving confinement; AND

(D) THE SHERIFF OR OTHER LAW ENFORCEMENT OFFICIALS IN THE COUNTY IN WHICH THE JAIL, PRISON, HOSPITAL, MENTAL HEALTH FACILITY, OR OTHER INSTITUTION FROM WHICH THE PERSON ESCAPED OR WAS RELEASED IS LOCATED; AND

(E) ANY JUDGE OR JUSTICE BEFORE WHOM THE PERSON APPEARED FOR ANY REASON IN RELATION TO A CHARGE OF HAVING COMMITTED A CRIMINAL OFFENSE.

(3) A SHERIFF OR OTHER LAW ENFORCEMENT OFFICIALS GIVEN NOTICE UNDER SUBSECTION (2)(D) MAY GIVE THE NOTICE TO ANY LOCAL OR NEIGHBORHOOD WATCH PROGRAM OR PROGRAMS IN THE COUNTY.

-End-

THIRD READING



SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
February 4, 1991

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration House Bill No. 114 (third reading copy -- blue), respectfully report that House Bill No. 114 be amended and as so amended be concurred in:

1. Page 2, lines 14 through 16.

Following: "(E)" on line 14

Strike: remainder of line 14 through "OFFENSE" on line 16

Insert: "a court that has requested that it be notified in the event of a release or escape of the person"

2. Page 2, lines 17 through 20.

Strike: subsection (3) in its entirety

Signed: Richard Pinsoneault  
Richard Pinsoneault, Chairman

RP 2/4/91  
Amd. Coord.

SB 2-5-91 9:15  
Sec. of Senate

SENATE

HB 114

SENATE COMMITTEE OF THE WHOLE AMENDMENT

February 6, 1991 1:18 pm

Mr. Chairman: I move to amend House Bill No. 114 (third reading copy -- blue) as follows:

1. Title, line 7.

Following: "NOTIFY"

Insert: ", IN CERTAIN INSTANCES,"

2. Page 1, line 20.

Following: "offense"

Insert: "involving the use or threat of physical force or violence"

3. Page 1, line 22.


Following: "offense"

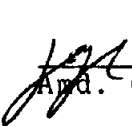
Insert: "involving the use or threat of physical force or violence or after being designated as a dangerous offender under 46-18-404"

ADOPT

REJECT

Signed: \_\_\_\_\_

  
Senator Doherty

 2-6-91  
Asst. Coord.

\_\_\_\_\_  
Sec. of Senate

SENATE

HB 114

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

NEW SECTION. Section 1. Notification of escape or release from confinement. (1) The notice required by subsection (2) must be given if any of the following persons escapes or is released from confinement:

(a) a person committed to a hospital or mental institution--after--being--charged--with;--found-unfit-to-be-tried--for;--or--convicted--of--a--criminal--offense HEALTH FACILITY UNDER [TITLE 46, CHAPTER 14]; or

(b) a person confined in a jail or other institution pending or during trial for a criminal offense INVOLVING THE USE OR THREAT OF PHYSICAL FORCE OR VIOLENCE or confined in a jail, prison, or other institution after conviction of a criminal offense INVOLVING THE USE OR THREAT OF PHYSICAL FORCE OR VIOLENCE OR AFTER BEING DESIGNATED AS A DANGEROUS OFFENDER UNDER 46-18-404.

(2) If a person referred to in subsection (1) escapes or is released from confinement, the institution in which he was confined shall notify:

(a) the sheriff and OR other law enforcement officials in the county in which the offense occurred;

(b) the sheriff and OR other law enforcement officials in the county or counties, if known, in which a victim or the victims of the offense reside at the time of the escape or release; and

(c) the sheriff and OR other law enforcement officials in the county, if known, in which the person intends to reside upon leaving confinement; AND

(D) THE SHERIFF OR OTHER LAW ENFORCEMENT OFFICIALS IN THE COUNTY IN WHICH THE JAIL, PRISON, HOSPITAL, MENTAL HEALTH FACILITY, OR OTHER INSTITUTION FROM WHICH THE PERSON ESCAPED OR WAS RELEASED IS LOCATED; AND

(E) ANY--JUDGE--OR--JUSTICE--BEFORE--WHOM--THE--PERSON APPEARED--FOR--ANY--REASON--IN-RELATION-TO-A-CHARGE-OF-HAVING COMMITTED-A-CRIMINAL--OFFENSE A COURT THAT HAS REQUESTED THAT IT BE NOTIFIED IN THE EVENT OF A RELEASE OR ESCAPE OF THE PERSON.

(3)--A--SHERIFF-OR-OTHER-LAW-ENFORCEMENT-OFFICIALS-GIVEN NOTICE-UNDER-SUBSECTION-(2)-(D)--MAY-GIVE-THE--NOTICE--TO--ANY LOCAL--OR--NEIGHBORHOOD--WATCH--PROGRAM--OR--PROGRAMS-IN-THE COUNTY;

-End-  
-2-

REFERENCE BILL  
HB 114  
AS AMENDED

