

HOUSE BILL NO. 276  
INTRODUCED BY STRIZICH

IN THE HOUSE

JANUARY 19, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

JANUARY 21, 1991                   FIRST READING.

FEBRUARY 19, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 20, 1991                  PRINTING REPORT.

FEBRUARY 21, 1991                  POSTED ON CONSENT CALENDAR.

FEBRUARY 22, 1991                  CONSENT CALENDAR, QUESTIONS AND ANSWERS.

FEBRUARY 23, 1991                  THIRD READING, PASSED.  
AYES, 96; NOES, 0.

TRANSMITTED TO SENATE.

IN THE SENATE

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

FIRST READING.

MARCH 7, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 11, 1991                    SECOND READING, CONCURRED IN.

MARCH 12, 1991                    THIRD READING, CONCURRED IN.  
AYES, 49; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 13, 1991                    RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 276  
2 INTRODUCED BY \_\_\_\_\_  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF  
5 A CONTINUING CRIMINAL ENTERPRISE; DEFINING THE ELEMENTS OF A  
6 CONTINUING CRIMINAL ENTERPRISE; AND PROVIDING PENALTIES."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 NEW SECTION. Section 1. Continuing criminal enterprise

10 -- penalty. (1) A person who engages in a continuing  
11 criminal enterprise is guilty of a crime and upon conviction  
12 is punishable by a term of imprisonment and a fine not  
13 exceeding two times those authorized by 45-9-101 for the  
14 underlying offense. For purposes of this subsection, a  
15 person is engaged in a continuing criminal enterprise if:

16 (a) the person violates any provision of this chapter  
17 that is a felony; and

18 (b) the violation is a part of a continuing series of  
19 two or more violations of this chapter on separate  
20 occasions:

21 (i) that are undertaken by the person in concert with  
22 five or more other persons with respect to whom the person  
23 occupies a position of organizer, supervisor, or any other  
24 position of management; and

25 (ii) from which the person obtained substantial income

1 or resources.

2 (2) A person who violates the provisions of subsection  
3 (1) after a previous judgment of conviction under that  
4 subsection has become final is punishable by a term of  
5 imprisonment not exceeding three times that authorized by  
6 45-9-101.

7 (3) A sentence for a conviction under this section runs  
8 consecutively with the conviction for the underlying  
9 offense. Mandatory minimum sentences must be multiplied as  
10 provided in this section and may not be waived or suspended.

11 NEW SECTION. Section 2. Codification instruction.

12 [Section 1] is intended to be codified as an integral part  
13 of Title 45, chapter 9, part 1, and the provisions of Title  
14 45, chapter 9, part 1, apply to [section 1].

-End-



-2-  
INTRODUCED BILL  
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 5   imprisonment not exceeding three times that authorized by  
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11       NEW SECTION.   **Section 2. Codification instruction.**  
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 14   45, chapter 9, part 1, apply to [section 1].

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REFERENCE BILL

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