

HOUSE BILL NO. 420  
INTRODUCED BY J. RICE

IN THE HOUSE

JANUARY 28, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

JANUARY 29, 1991                   FIRST READING.

FEBRUARY 14, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS.   REPORT ADOPTED.

FEBRUARY 15, 1991                  PRINTING REPORT.

FEBRUARY 16, 1991                  SECOND READING, DO PASS.

FEBRUARY 18, 1991                  ENGROSSING REPORT.

FEBRUARY 19, 1991                  THIRD READING, PASSED.  
AYES, 100; NOES, 0.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 20, 1991                  INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

FIRST READING.

MARCH 14, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN.   REPORT ADOPTED.

MARCH 16, 1991                    SECOND READING, CONCURRED IN.

MARCH 18, 1991                    THIRD READING, CONCURRED IN.  
AYES, 49; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 19, 1991                    RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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House BILL NO. 420  
*[Signature]*

INTRODUCED BY \_\_\_\_\_

A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING FROM TRANSACTIONAL IMMUNITY TO USE IMMUNITY THE TYPE OF IMMUNITY MANDATED WHEN TESTIMONY IS COMPELLED IN A PROCEEDING HELD BY OR UNDER THE AUTHORITY OF THE COMMISSIONER OF INSURANCE; ALLOWING THE COMMISSIONER TO IN ADDITION GRANT TRANSACTIONAL IMMUNITY; AMENDING SECTION 33-1-316, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

**Section 1.** Section 33-1-316, MCA, is amended to read:

"33-1-316. Testimony compelled -- immunity from prosecution. No A person shall may not be excused from attending and testifying or producing any evidence upon any examination, investigation, or hearing conducted by or under authority of the commissioner on the ground that his testimony or the evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. ~~No person shall be prosecuted or punished in any criminal action or proceeding for or on account of any act, transaction, matter, or thing concerning which he is so compelled to produce evidence or to testify under oath, except for perjury committed in such testimony.~~ However,

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compelled testimony or evidence or any information directly or indirectly derived from compelled testimony or evidence may not be used against the person in a criminal prosecution. The commissioner may grant immunity from prosecution for or on account of any act, occurrence, transaction, matter, or other thing concerning which a person is compelled to testify if the commissioner determines that the ends of justice would be served by granting the additional immunity. Immunity does not extend to prosecution or punishment for false statements by the person that are contained in the compelled testimony or evidence."

**NEW SECTION. Section 2. Applicability.** [This act]

applies to acts, occurrences, transactions, and matters that occur on or after October 1, 1991.

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY

1 HOUSE BILL NO. 420  
2 INTRODUCED BY [Signature]

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING FROM  
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21 ~~No person shall be prosecuted or punished in any criminal~~  
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13 NEW SECTION. Section 2. Applicability. [This act]  
14 applies to acts, occurrences, transactions, and matters that  
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