

HOUSE BILL NO. 467

INTRODUCED BY LEE

IN THE HOUSE

JANUARY 30, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

 FIRST READING.

FEBRUARY 13, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 14, 1991 PRINTING REPORT.

FEBRUARY 16, 1991 SECOND READING, DO PASS.

FEBRUARY 18, 1991 ENGROSSING REPORT.

FEBRUARY 19, 1991 THIRD READING, PASSED.
AYES, 89; NOES, 11.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 20, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

 FIRST READING.

MARCH 28, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

APRIL 3, 1991 SECOND READING, CONCURRED IN.

APRIL 4, 1991 THIRD READING, CONCURRED IN.
AYES, 48; NOES, 2.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 8, 1991 RECEIVED FROM SENATE.

 SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 9, 1991 THIRD READING, AMENDMENTS

CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 467
2 INTRODUCED BY Lee

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE CRIMINAL
5 PENALTIES FOR PERSONS ILLEGALLY CARRYING FIREARMS OR
6 DANGEROUS DRUGS ON TRAINS."

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

9 NEW SECTION. Section 1. Carrying firearms on railroad

10 -- penalty. (1) It is unlawful for a person to carry or
11 transport firearms on a railroad car, train, or locomotive
12 of a railroad in this state unless, prior to boarding, the
13 person has delivered all firearms and ammunition, if any, to
14 the operator of the railroad car, train, or locomotive.

15 (2) A person violating this section shall be punished
16 by a fine not exceeding \$500 or imprisonment in the county
17 jail for a period not exceeding 6 months, or both.

18 NEW SECTION. Section 2. Carrying dangerous drugs on
19 railroad. A person commits the offense of carrying dangerous
20 drugs on a railroad car, train, or locomotive if he is in
21 criminal possession of a dangerous drug and boards any form
22 of railroad transportation.

23 NEW SECTION. Section 3. Penalty for carrying dangerous
24 drugs on railroad. A person convicted of carrying dangerous
25 drugs on a railroad shall be imprisoned in the county jail

1 for a period not exceeding 6 months.

2 NEW SECTION. Section 4. Codification instruction. (1)

3 [Section 1] is intended to be codified as an integral part
4 of Title 45, chapter 8, part 3, and the provisions of Title
5 45, chapter 8, part 3, apply to [section 1].

6 (2) [Sections 2 and 3] are intended to be codified as
7 an integral part of Title 45, chapter 9, part 1, and the
8 provisions of Title 45, chapter 9, part 1, apply to
9 [sections 2 and 3].

-End-

INTRODUCED BILL
HB 467

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0467, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

The bill would create criminal penalties for persons illegally carrying firearms or dangerous drugs on trains.

ASSUMPTIONS:

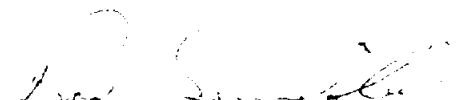
1. The bill creates a new offense and no crime report data exists to estimate the fiscal impact.

FISCAL IMPACT:

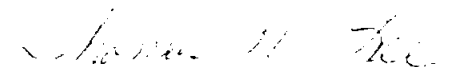
Not subject to reasonable estimate.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Not subject to reasonable estimate.



ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning



THOMAS N. LEE, PRIMARY SPONSOR DATE
Fiscal Note for HB0467, as introduced **HB 467**

APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 467
 2 INTRODUCED BY LEE
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE CRIMINAL
 5 PENALTIES FOR PERSONS ILLEGALLY CARRYING FIREARMS OR
 6 DANGEROUS DRUGS ON TRAINS."

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

9 NEW SECTION. Section 1. Carrying firearms on ~~railroad~~
 10 TRAIN -- penalty. (1) It is unlawful for a person NOT
 11 AUTHORIZED TO CARRY A WEAPON IN THE COURSE OF HIS OFFICIAL
 12 DUTIES to KNOWINGLY OR PURPOSELY carry or transport firearms
 13 on a ~~railroad-car, train, or locomotive of a railroad~~ in
 14 this state unless, prior to boarding, the person has
 15 delivered all firearms and ammunition, if any, to the
 16 operator of the ~~railroad-car, train, or locomotive~~.

17 (2) A person violating this section shall be punished
 18 by a fine not exceeding \$500 or imprisonment in the county
 19 jail for a period not exceeding 6 months, or both.

20 NEW SECTION. Section 2. Carrying dangerous drugs on
 21 ~~railroad~~ TRAIN. A person commits the offense of carrying
 22 dangerous drugs on a ~~railroad-car, train, or locomotive~~ IN
 23 THIS STATE if he is KNOWINGLY OR PURPOSELY in criminal
 24 possession of a dangerous drug and boards any ~~form~~ of
 25 ~~railroad-transportation~~ TRAIN.

1 NEW SECTION. Section 3. Penalty for carrying dangerous
 2 drugs on ~~railroad~~ TRAIN. A person convicted of carrying
 3 dangerous drugs on a ~~railroad-shall-be-imprisoned-in-the~~
 4 ~~county-jail-for-a-period-not-exceeding-6-months~~ TRAIN IN
 5 THIS STATE IS SUBJECT TO THE PENALTIES PROVIDED IN 45-9-102.

6 NEW SECTION. Section 4. Codification instruction. (1)
 7 [Section 1] is intended to be codified as an integral part
 8 of Title 45, chapter 8, part 3, and the provisions of Title
 9 45, chapter 8, part 3, apply to [section 1].

10 (2) [Sections 2 and 3] are intended to be codified as
 11 an integral part of Title 45, chapter 9, part 1, and the
 12 provisions of Title 45, chapter 9, part 1, apply to
 13 [sections 2 and 3].

-End-

SECOND READING



HOUSE BILL NO. 467

INTRODUCED BY LEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE CRIMINAL PENALTIES FOR PERSONS ILLEGALLY CARRYING FIREARMS OR DANGEROUS DRUGS ON TRAINS."

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

NEW SECTION. Section 1. Carrying firearms on railroad TRAIN -- penalty. (1) It is unlawful for a person NOT AUTHORIZED TO CARRY A WEAPON IN THE COURSE OF HIS OFFICIAL DUTIES to KNOWINGLY OR PURPOSELY carry or transport firearms on a railroad-car, train, or locomotive of a railroad in this state unless, prior to boarding, the person has delivered all firearms and ammunition, if any, to the operator of the railroad-car, train, or locomotive.

(2) A person violating this section shall be punished by a fine not exceeding \$500 or imprisonment in the county jail for a period not exceeding 6 months, or both.

NEW SECTION. Section 2. Carrying dangerous drugs on railroad TRAIN. A person commits the offense of carrying dangerous drugs on a railroad-car, train, or locomotive IN THIS STATE if he is KNOWINGLY OR PURPOSELY in criminal possession of a dangerous drug and boards any form of railroad-transportation TRAIN.

NEW SECTION. Section 3. Penalty for carrying dangerous drugs on railroad TRAIN. A person convicted of carrying dangerous drugs on a railroad shall be imprisoned in the county jail for a period not exceeding 6 months TRAIN IN THIS STATE IS SUBJECT TO THE PENALTIES PROVIDED IN 45-9-102.

NEW SECTION. Section 4. Codification instruction. (1) [Section 1] is intended to be codified as an integral part of Title 45, chapter 8, part 3, and the provisions of Title 45, chapter 8, part 3, apply to [section 1].

(2) [Sections 2 and 3] are intended to be codified as an integral part of Title 45, chapter 9, part 1, and the provisions of Title 45, chapter 9, part 1, apply to [sections 2 and 3].

-End-

THIRD READING



SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 28, 1991

MR. PRESIDENT:

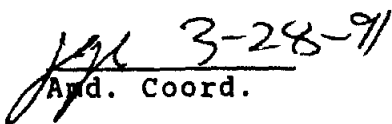
We, your committee on Highways and Transportation having had under consideration House Bill No. 467 (third reading copy -- blue), respectfully report that House Bill No. 467 be amended and as so amended be concurred in:

1. Page 1, line 10.

Strike: "It"

Insert: "Except as authorized by the management of a railroad,
it"

Signed: 
Cecil Weeding, Chairman


Asst. Coord.

Sec. of Senate

SENATE
HB 467

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 2 INTRODUCED BY LEE
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE CRIMINAL
 5 PENALTIES FOR PERSONS ILLEGALLY CARRYING FIREARMS OR
 6 DANGEROUS DRUGS ON TRAINS."
 7

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

9 NEW SECTION. Section 1. Carrying firearms on ~~railroad~~
 10 TRAIN -- penalty. (1) ~~It~~ EXCEPT AS AUTHORIZED BY THE
 11 MANAGEMENT OF A RAILROAD, IT is unlawful for a person NOT
 12 AUTHORIZED TO CARRY A WEAPON IN THE COURSE OF HIS OFFICIAL
 13 DUTIES to KNOWINGLY OR PURPOSELY carry or transport firearms
 14 on a ~~railroad-car, train, or locomotive--of--a--railroad~~ in
 15 this state unless, prior to boarding, the person has
 16 delivered all firearms and ammunition, if any, to the
 17 operator of the ~~railroad-car, train, or locomotive.~~

18 (2) A person violating this section shall be punished
 19 by a fine not exceeding \$500 or imprisonment in the county
 20 jail for a period not exceeding 6 months, or both.

21 NEW SECTION. Section 2. Carrying dangerous drugs on
 22 railroad TRAIN. A person commits the offense of carrying
 23 dangerous drugs on a ~~railroad-car, train, or locomotive~~ IN
 24 THIS STATE if he is KNOWINGLY OR PURPOSELY in criminal
 25 possession of a dangerous drug and boards any ~~form-of~~

1 ~~railroad-transportation~~ TRAIN.
 2 NEW SECTION. Section 3. Penalty for carrying dangerous
 3 drugs on railroad TRAIN. A person convicted of carrying
 4 dangerous drugs on a ~~railroad-shall-be-imprisoned-in-the~~
 5 ~~county-jail-for-a-period-not-exceeding--6--months~~ TRAIN IN
 6 THIS STATE IS SUBJECT TO THE PENALTIES PROVIDED IN 45-9-102.
 7 NEW SECTION. Section 4. Codification instruction. (1)
 8 [Section 1] is intended to be codified as an integral part
 9 of Title 45, chapter 8, part 3, and the provisions of Title
 10 45, chapter 8, part 3, apply to [section 1].
 11 (2) [Sections 2 and 3] are intended to be codified as
 12 an integral part of Title 45, chapter 9, part 1, and the
 13 provisions of Title 45, chapter 9, part 1, apply to
 14 [sections 2 and 3].

-End-