

HOUSE BILL NO. 573

INTRODUCED BY J. RICE  
BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

FEBRUARY 2, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON HIGHWAYS & TRANSPORTATION.

FEBRUARY 4, 1991                   FIRST READING.

FEBRUARY 20, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

FEBRUARY 21, 1991                  CONSENT CALENDAR, QUESTIONS AND ANSWERS.

ENGROSSING REPORT.

FEBRUARY 23, 1991                  OBJECTION FILED TO CONSENT CALENDAR  
RECOMMENDATION.

FEBRUARY 25, 1991                  ON MOTION, CONSIDERATION PASSED.

FEBRUARY 26, 1991                  SECOND READING, DO PASS AS AMENDED.

FEBRUARY 27, 1991                  ENGROSSING REPORT.

THIRD READING, PASSED.  
AYES, 90; NOES, 10.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 4, 1991                    INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

FIRST READING.

MARCH 25, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 28, 1991                    SECOND READING, CONCURRED IN.

APRIL 1, 1991                    THIRD READING, CONCURRED IN.  
AYES, 44; NOES, 5.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 1, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *HOUSE* BILL NO. *573*  
2 INTRODUCED BY *Shive*  
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE MOTOR  
6 VEHICLE CODE DEFINITION OF "CONVICTION" CONSISTENT WITH THE  
7 DEFINITION OF THE TERM IN THE GENERAL CRIMINAL CODE; AND  
8 AMENDING SECTION 61-5-213, MCA."

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

11 **Section 1.** Section 61-5-213, MCA, is amended to read:  
12 "61-5-213. Conviction defined. For the purposes of  
13 parts 1 through 3 of this chapter and 61-11-101 and  
14 61-11-102 the term "conviction" ~~shall mean a final~~  
15 conviction has the meaning provided in 45-2-101. Also, a  
16 forfeiture of bail or collateral deposited to secure a  
17 defendant's appearance in court, which forfeiture has not  
18 been vacated, shall be equivalent to a conviction."

-End-



INTRODUCED BILL  
HB 573

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*House* BILL NO. *573*  
*Shira*

INTRODUCED BY \_\_\_\_\_  
BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE MOTOR VEHICLE CODE DEFINITION OF "CONVICTION" CONSISTENT WITH THE DEFINITION OF THE TERM IN THE GENERAL CRIMINAL CODE; AND AMENDING SECTION 61-5-213, MCA."

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

**Section 1.** Section 61-5-213, MCA, is amended to read:

"61-5-213. Conviction defined. For the purposes of parts 1 through 3 of this chapter and 61-11-101 and 61-11-102 the term "conviction" ~~shall mean a final conviction~~ has the meaning provided in 45-2-101. Also, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction."

-End-



THIRD READING  
HB 573  
CONSENT CALENDAR

1 HOUSE BILL NO. 573

2 INTRODUCED BY J. RICE

3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE CLARIFY THE  
6 MOTOR VEHICLE CODE DEFINITION OF "CONVICTION" CONSISTENT  
7 ~~WITH THE DEFINITION OF THE TERM IN THE GENERAL CRIMINAL~~  
8 ~~CODE~~; AND AMENDING SECTION 61-5-213, MCA."  
9

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

11 **Section 1.** Section 61-5-213, MCA, is amended to read:

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13 parts 1 through 3 of this chapter and 61-11-101 and  
14 61-11-102 the term "conviction" ~~shall mean a final~~  
15 ~~conviction has the meaning provided in 45-2-101~~ SHALL MEAN A  
16 FINAL CONVICTION, EXCEPT THAT THE DEPARTMENT SHALL RECORD A  
17 DEFERRED IMPOSITION OF SENTENCE AS A CONVICTION IF THE  
18 UNDERLYING OFFENSE IS A FELONY. Also, a forfeiture of bail  
19 or collateral deposited to secure a defendant's appearance  
20 in court, which forfeiture has not been vacated, shall be  
21 equivalent to a conviction."

-End-



THIRD READING  
SECOND PRINTING

AS AMENDED

HB 573

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18 UNDERLYING OFFENSE IS A FELONY. Also, a forfeiture of bail  
19 or collateral deposited to secure a defendant's appearance  
20 in court, which forfeiture has not been vacated, shall be  
21 equivalent to a conviction."

-End-



REFERENCE BILL

HB 573