

1 HOUSE BILL NO. 581
2 INTRODUCED BY _____

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ANY LAW
5 ENFORCEMENT AGENCY IN A JUDICIAL DISTRICT TO USE FINGERPRINT
6 RECORDS AND PHOTOGRAPHS OF YOUTHS FOR CERTAIN PURPOSES; AND
7 AMENDING SECTION 41-5-304, MCA."

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

10 Section 1. Section 41-5-304, MCA, is amended to read:

11 "41-5-304. Investigation, fingerprints, and
12 photographs. (1) All law enforcement investigations relating
13 to a delinquent youth or youth in need of supervision must
14 be conducted in accordance with this chapter and Title 46.

15 (2) A youth may be fingerprinted or photographed for
16 criminal identification purposes:

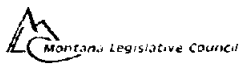
17 (a) if arrested for conduct alleged to be unlawful that
18 would be a felony if committed by an adult;

19 (b) pursuant to a search warrant, supported by probable
20 cause, issued by a judge, justice of the peace, or
21 magistrate; or

22 (c) upon the order of the youth court judge, after a
23 petition alleging delinquency has been filed in which the
24 unlawful act alleged would constitute a felony if the act
25 had been committed by an adult.

1 (3) Fingerprint records and photographs may be used by
2 ~~the--originating~~ any law enforcement agency in the judicial
3 district for comparison and identification purposes in any
4 other investigation."

-End-



-2- INTRODUCED BILL
HB 581

APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 581
2 INTRODUCED BY _____
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ANY LAW
5 ENFORCEMENT AGENCY IN A JUDICIAL DISTRICT TO USE FINGERPRINT
6 RECORDS AND PHOTOGRAPHS OF YOUTHS FOR CERTAIN PURPOSES; AND
7 AMENDING SECTION 41-5-304, MCA."

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

10 **Section 1.** Section 41-5-304, MCA, is amended to read:

11 "41-5-304. Investigation, fingerprints, and
12 photographs. (1) All law enforcement investigations relating
13 to a delinquent youth or youth in need of supervision must
14 be conducted in accordance with this chapter and Title 46.

15 (2) A youth may be fingerprinted or photographed for
16 criminal identification purposes:

17 (a) if arrested for conduct alleged to be unlawful that
18 would be a felony if committed by an adult;

19 (b) pursuant to a search warrant, supported by probable
20 cause, issued by a judge, justice of the peace, or
21 magistrate; or

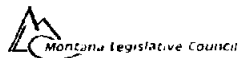
22 (c) upon the order of the youth court judge, after a
23 petition alleging delinquency has been filed in which the
24 unlawful act alleged would constitute a felony if the act
25 had been committed by an adult.

1 (3) Fingerprint records and photographs may be used by
2 ~~the~~ originating any law enforcement agency in the judicial
3 district for comparison and identification purposes in any
4 other investigation."

-End-

SECOND READING

HB 581



1 HOUSE BILL NO. 581
 2 INTRODUCED BY [Signature]

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ANY LAW
 5 ENFORCEMENT AGENCY IN A JUDICIAL DISTRICT TO USE FINGERPRINT
 6 RECORDS AND PHOTOGRAPHS OF YOUTHS FOR CERTAIN PURPOSES; AND
 7 AMENDING SECTION 41-5-304, MCA."

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

10 **Section 1.** Section 41-5-304, MCA, is amended to read:

11 **"41-5-304. Investigation, fingerprints, and**
 12 **photographs.** (1) All law enforcement investigations relating
 13 to a delinquent youth or youth in need of supervision must
 14 be conducted in accordance with this chapter and Title 46.

15 (2) A youth may be fingerprinted or photographed for
 16 criminal identification purposes:

17 (a) if arrested for conduct alleged to be unlawful that
 18 would be a felony if committed by an adult;

19 (b) pursuant to a search warrant, supported by probable
 20 cause, issued by a judge, justice of the peace, or
 21 magistrate; or

22 (c) upon the order of the youth court judge, after a
 23 petition alleging delinquency has been filed in which the
 24 unlawful act alleged would constitute a felony if the act
 25 had been committed by an adult.

1 (3) Fingerprint records and photographs may be used by
 2 ~~the~~ originating any law enforcement agency in the judicial
 3 district for comparison and identification purposes in any
 4 other investigation."

-End-



-2-
 THIRD READING
 HB 581

HOUSE BILL NO. 581
INTRODUCED BY STRIZICH

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ANY LAW ENFORCEMENT AGENCY IN A JUDICIAL DISTRICT TO USE FINGERPRINT RECORDS AND PHOTOGRAPHS OF YOUTHS FOR CERTAIN PURPOSES; AND AMENDING SECTION 41-5-304, MCA."

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

Section 1. Section 41-5-304, MCA, is amended to read:

"41-5-304. Investigation, fingerprints, and photographs. (1) All law enforcement investigations relating to a delinquent youth or youth in need of supervision must be conducted in accordance with this chapter and Title 46.

(2) A youth may be fingerprinted or photographed for criminal identification purposes:

(a) if arrested for conduct alleged to be unlawful that would be a felony if committed by an adult;

(b) pursuant to a search warrant, supported by probable cause, issued by a judge, justice of the peace, or magistrate; or

(c) upon the order of the youth court judge, after a petition alleging delinquency has been filed in which the unlawful act alleged would constitute a felony if the act had been committed by an adult.

(3) Fingerprint records and photographs may be used by ~~the--originating~~ any law enforcement agency in the judicial district for comparison and identification purposes in any other investigation."

-End-

