

1 HOUSE BILL NO. 915
2 INTRODUCED BY Cady

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE UNIFORM
5 CRIMINAL EXTRADITION ACT TO APPLY TO INDIAN RESERVATIONS
6 WITHIN THE STATE OF MONTANA; AMENDING SECTIONS 46-30-101 AND
7 46-30-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

10 **Section 1.** Section 46-30-101, MCA, is amended to read:

11 "46-30-101. Definitions. Where appearing in this
12 chapter, the term:

13 (1) "governor" includes any person performing the
14 functions of governor by authority of the law of this state;

15 (2) "executive authority" includes the governor and any
16 person performing the functions of governor in a state other
17 than this state or the chairman of a recognized Indian tribe
18 within the state of Montana;

19 (3) "state", referring to a state other than this
20 state, includes any other state or territory, organized or
21 unorganized, of the United States of America or an Indian
22 reservation within the state of Montana."

23 **Section 2.** Section 46-30-301, MCA, is amended to read:

24 "46-30-301. Arrest of accused without warrant. The
25 arrest of a person may be lawfully made also by any peace

1 officer or a private person without a warrant upon
2 reasonable information that the accused stands charged in
3 the courts of a state with a crime punishable by death or
4 imprisonment for a term exceeding of 1 year or more. When so
5 arrested under this section, the accused must be taken
6 before a judge or magistrate with all practicable speed and
7 complaint must be made against him under oath setting forth
8 the ground for the arrest as in 46-30-227. ~~Hereafter~~ After
9 the complaint is made, his answer ~~shall~~ must be heard as if
10 he had been arrested on a warrant."

11 **NEW SECTION. Section 3.** Effective date. [This act] is
12 effective on passage and approval.

-End-

INTRODUCED BILL
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THIRD READING
HB 915
CONSENT CALENDAR

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