

HOUSE BILL 946

Introduced by Menahan

2/19	Introduced
2/19	Referred to Local Government
2/19	First Reading
2/19	Fiscal Note Requested
2/21	Hearing
2/21	Tabled in Committee
2/25	Fiscal Note Received

1 HOUSE BILL NO. 946  
2 INTRODUCED BY McNeehan

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT 100  
5 PERCENT OF EACH FINE AND FORFEITURE COLLECTED IN A MUNICIPAL  
6 OR CITY COURT FROM PERSONS APPREHENDED BY A POLICE OFFICER  
7 FOR THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR  
8 DRUGS BE PAID TO THE STATE TRAFFIC EDUCATION ACCOUNT TO FUND  
9 TRAFFIC EDUCATION PROGRAMS FOR THE SCHOOL DISTRICTS IN THE  
10 STATE; AND AMENDING SECTIONS 20-7-504 AND 25-30-102, MCA."

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **Section 1.** Section 20-7-504, MCA, is amended to read:  
14 "20-7-504. State traffic education account -- proceeds  
15 earmarked for the account. (1) There is a traffic education  
16 account in the treasury of the state of Montana. There ~~shall~~  
17 be is paid into this account all or a portion of the fines  
18 and forfeitures collected in any court except a justice's  
19 court from persons apprehended or arrested by highway patrol  
20 officers or, department of highways peace officers, or  
21 police officers, as provided in subsection (2), for any  
22 violation of chapter 3, part 1 of chapter 4, or chapters 5  
23 through 10 of Title 61 relating to the operation or use of  
24 motor vehicles in the following amounts:  
25 (a) if a fine is imposed, 25% of the fine imposed;

1 (b) if multiple offenses are involved, 25% of the total  
2 sum of all fines imposed;  
3 (c) if a fine is suspended, in whole or in part, 25% of  
4 the fine actually paid; and  
5 (d) if any deposit of bail is made for an offense to  
6 which this section applies and the bail is forfeited, 25% of  
7 the forfeited bail.

8 (2) If a fine is imposed or if bail is forfeited in a  
9 municipal or city court from a person apprehended by a  
10 police officer under the provisions of 61-8-401 or 61-8-714,  
11 100% of the fine imposed or bail forfeited must be paid to  
12 the traffic education account.

13 ~~(2)~~(3) A portion of all money from the collection of  
14 fees from driver's licenses, motorcycle endorsements, and  
15 duplicate driver's licenses ~~shall~~ must be contributed to the  
16 traffic education account as provided in 61-5-121."

17 **Section 2.** Section 25-30-102, MCA, is amended to read:  
18 "25-30-102. Fees and fines. The fees and fines in  
19 municipal court ~~shall-be~~ are the same as the fees and fines  
20 provided by law or ordinance, and except as provided in  
21 20-7-504, all fees and fines collected by the court ~~shall~~  
22 must be paid into the city treasury."

-End-



-2- INTRODUCED BILL  
HB 946