

1 H BILL NO. 291
 2 INTRODUCED BY Melligan Sully
 3 By Request of the
County Atty's Assoc.
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE OBSCURING
 5 OF THE IDENTITY OF A WEAPON A CRIME; AMENDING SECTION
 6 94-6-311, R.C.M. 1947."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Section 1. Section 94-6-311, R.C.M. 1947, is amended
 10 to read as follows:

11 "94-6-311. Obscuring the identity of a machine. (1) A
 12 person commits the offense of obscuring the identity of a
 13 machine if he:

14 (a) removes, defaces, covers, alters, destroys or
 15 otherwise obscures the manufacturer's serial number or any
 16 other distinguishing identification number or mark upon any
 17 machine, vehicle, or electrical device, or weapon, with the
 18 purpose to conceal, misrepresent or transfer any such
 19 machine, vehicle, or electrical device, or weapon; or

20 (b) possesses with the purpose to conceal,
 21 misrepresent or transfer any such machine, vehicle, or
 22 device, or weapon knowing that such the serial number or
 23 other identification number or mark has been removed or
 24 otherwise obscured. The fact of possession or transfer of
 25 any such machine creates a presumption that the person

1 exerted such control knowingly.
 2 (2) A person convicted of obscuring the identity of a
 3 machine shall be fined not to exceed ~~five--hundred--dollars~~
 4 ~~(\$500)~~ or be imprisoned in the county jail for a term not to
 5 exceed ~~six--(6)~~ months, or both."

-End-

SECOND READING

MISSING

1 HOUSE BILL NO. 291

2 INTRODUCED BY GILLIGAN, SCULLY

3 BY REQUEST OF THE COUNTY ATTORNEY'S ASSOCIATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE OBSCURING OF THE
6 IDENTITY OF A WEAPON FIREARM A CRIME; AMENDING SECTION 94-6-311,
7 R.C.M. 1947."

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

10 Section 1. Section 94-6-311, R.C.M. 1947, is amended to read
11 as follows:

12 "94-6-311. Obscuring the identity of a machine. (1) A
13 person commits the offense of obscuring the identity of a machine
14 if he:

15 (a) removes, defaces, covers, alters, destroys or otherwise
16 obscures the manufacturer's serial number or any other
17 distinguishing identification number or mark upon any machine,
18 vehicle, or electrical device, or ~~weapon FIREARM~~, with the purpose
19 to conceal, misrepresent or transfer any such machine, vehicle, or
20 electrical device, ~~or weapon FIREARM~~; or

21 (b) possesses with the purpose to conceal, misrepresent or
22 transfer any such machine, vehicle, or device, ~~or weapon FIREARM~~
23 knowing that ~~such the~~ serial number or other identification number
24 or mark has been removed or otherwise obscured. ~~The fact of~~
25 ~~possession or transfer of any such machine creates a presumption~~

1 ~~that the person exerted such control knowingly. VEHICLE,~~
2 ~~ELECTRICAL DEVICE, OR FIREARM CREATES A PRESUMPTION THAT THE~~
3 ~~PERSON KNEW THE SERIAL NUMBER OR OTHER IDENTIFICATION NUMBER OR~~
4 ~~MARK HAD BEEN REMOVED OR OTHERWISE OBSCURED.~~

5 (2) A person convicted of obscuring the identity of a
6 machine shall be fined not to exceed ~~five hundred dollars (\$500)~~
7 or be imprisoned in the county jail for a term not to exceed ~~six~~
8 ~~(6)~~ months, or both."

-End-

T H I R D R E A D I N G

HOUSE BILL NO. 291

INTRODUCED BY GILLIGAN, SCULLY

BY REQUEST OF THE COUNTY ATTORNEY'S ASSOCIATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE OBSCURING OF THE IDENTITY OF A WEAPON ~~FIREARM~~ A CRIME; AMENDING SECTION 94-6-311, R.C.M. 1947."

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

Section 1. Section 94-6-311, R.C.M. 1947, is amended to read as follows:

"94-6-311. Obscuring the identity of a machine. (1) A person commits the offense of obscuring the identity of a machine if he:

(a) removes, defaces, covers, alters, destroys or otherwise obscures the manufacturer's serial number or any other distinguishing identification number or mark upon any machine, vehicle, or electrical device, or ~~weapon~~ ~~FIREARM~~, with the purpose to conceal, misrepresent or transfer any such machine, vehicle, or electrical device, ~~or~~ ~~weapon~~ ~~FIREARM~~; or

(b) possesses with the purpose to conceal, misrepresent or transfer any such machine, vehicle, or device, ~~or~~ ~~weapon~~ ~~FIREARM~~ knowing that such ~~the~~ serial number or other identification number or mark has been

~~removed or otherwise obscured. The fact of possession or transfer of any such machine creates a presumption that the person exerted such control knowingly. VEHICLE, ELECTRICAL DEVICE, OR FIREARM CREATES A PRESUMPTION THAT THE PERSON KNEW THE SERIAL NUMBER OR OTHER IDENTIFICATION NUMBER OR MARK HAD BEEN REMOVED OR OTHERWISE OBSCURED.~~

(2) A person convicted of obscuring the identity of a machine shall be fined not to exceed ~~five hundred dollars~~ ~~{500}~~ or be imprisoned in the county jail for a term not to exceed ~~six~~ ~~{6}~~ months, or both."

-End-