

Scott JOINT RESOLUTION NO. *28*
INTRODUCED BY *Thomas McHenry Lee*

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A STUDY OF THE SENTENCING PROVISIONS OF THE MONTANA CRIMINAL CODE OF 1973 AND OF POSSIBLE ALTERNATIVE PROVISIONS WHICH WOULD PROVIDE FOR MORE UNIFORM SENTENCING OF CRIMINALS AND FOR MANDATORY SENTENCES FOR DANGEROUS CRIMINALS.

WHEREAS, the Montana Criminal Code of 1973 provides for maximum penalties and no minimum penalties, leaving wide discretion in each judge regarding the penalty to be imposed upon an individual; and

WHEREAS, individuals with similar backgrounds convicted of the same crime are given greatly varying sentences depending upon the county in which they are convicted; and

WHEREAS, guidelines are needed to make sentencing more uniform and, if necessary, to provide for mandatory sentencing of dangerous criminals for the protection of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Committee on Priorities is

INTRODUCED BILL

requested to appoint the appropriate standing committee to study the sentencing provisions of the Montana Criminal Code of 1973, to study sentencing alternatives which would provide for more uniform sentencing of criminals and for mandatory sentences for dangerous criminals, and to evaluate the alternatives and compare them with the sentencing provisions currently being used.

BE IT FURTHER RESOLVED, that the committee conducting the study prepare and present to the 46th Legislature a report analyzing the sentencing provisions of the Montana Criminal Code of 1973 and possible alternatives, together with recommendations and a draft of proposed legislation, if necessary, to carry out such recommendations.

-End-

SR 28

Approved by Committee
on Judiciary

Smith JOINT RESOLUTION NO. *28*
INTRODUCED BY *Thomas McKenna Lee*

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A STUDY
6 OF THE SENTENCING PROVISIONS OF THE MONTANA CRIMINAL CODE OF
7 1973 AND OF POSSIBLE ALTERNATIVE PROVISIONS WHICH WOULD
8 PROVIDE FOR MORE UNIFORM SENTENCING OF CRIMINALS AND FOR
9 MANDATORY SENTENCES FOR DANGEROUS CRIMINALS.

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11 WHEREAS, the Montana Criminal Code of 1973 provides for
12 maximum penalties and no minimum penalties, leaving wide
13 discretion in each judge regarding the penalty to be imposed
14 upon an individual; and

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16 of the same crime are given greatly varying sentences
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18 WHEREAS, guidelines are needed to make sentencing more
19 uniform and, if necessary, to provide for mandatory
20 sentencing of dangerous criminals for the protection of the
21 public.

22
23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
24 OF REPRESENTATIVES OF THE STATE OF MONTANA:

25 That the Legislative Committee on Priorities is

1 requested to appoint the appropriate standing committee to
2 study the sentencing provisions of the Montana Criminal Code
3 of 1973, to study sentencing alternatives which would
4 provide for more uniform sentencing of criminals and for
5 mandatory sentences for dangerous criminals, and to evaluate
6 the alternatives and compare them with the sentencing
7 provisions currently being used.

8 BE IT FURTHER RESOLVED, that the committee conducting
9 the study prepare and present to the 46th Legislature a
10 report analyzing the sentencing provisions of the Montana
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12 with recommendations and a draft of proposed legislation, if
13 necessary, to carry out such recommendations.

-End-

SECOND READING

SJR 28

Smith JOINT RESOLUTION NO. *28*
INTRODUCED BY *Thomas Mehrens*

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NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Committee on Priorities is

THIRD READING

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-End-

ENR 28

1 SENATE JOINT RESOLUTION NO. 28

2 INTRODUCED BY THOMAS, MEHRENS, LEE

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A STUDY
6 OF THE SENTENCING PROVISIONS OF THE MONTANA CRIMINAL CODE OF
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-End-