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Senate BILL NO. 103
Ken Blaylock

INTRODUCED BY _____
A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT AN
INQUEST BE HELD IN SITUATIONS WHERE A DEATH OCCURS IN A
JAIL OR PENAL INSTITUTION, OR WHERE DEATH RESULTS FROM THE
USE OF A FIREARM; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 95-803, R.C.M. 1947, is amended to
read as follows:
"95-803. Coroner to hold inquest--when. An inquest is
a formal inquiry into the causes of and circumstances
surrounding the death of any person. The coroner shall hold
an inquest only if requested to do so by the county attorney
of the county in which death occurred or by the county
attorney of the county in which the acts or events causing
death occurred. However, in a situation in which a death
occurs in a jail or penal institution operated by the state
of Montana or its political subdivisions, or in a situation
in which death results from the use of a firearm, except
where criminal charges have been or will be filed, the
county attorney shall direct the coroner to hold an inquest.
The coroner shall conduct the inquest with the aid and
assistance of the county attorney. For holding such inquest,

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the coroner must summon a jury of not more than nine (9)
persons, qualified by law to serve as jurors. Such inquest
is to be held in accordance with sections 95-804 through
95-809 of this chapter."
Section 2. This act is effective upon passage and
approval.

-End-

SB103

*Approved by Committee
on Judiciary

1 SENATE BILL NO. 103
 2 INTRODUCED BY REGAN, BLAYLOCK
 3 (BY REQUEST OF GOVERNOR)
 4
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