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Senate BILL NO. 120
Robert C. Stone

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 94-6-204, R.C.M. 1947, DEFINING THE CRIME OF BURGLARY BY ADDING THE TERM 'UNLAWFULLY' TO THE DEFINITION OF AGGRAVATED BURGLARY."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 94-6-204, R.C.M. 1947, is amended to read as follows:

"94-6-204. Burglary. (1) A person commits the offense of burglary if he knowingly enters or remains unlawfully in an occupied structure with the purpose to commit an offense therein.

(2) A person commits the offense of aggravated burglary if he knowingly enters or remains unlawfully in an occupied structure with the purpose to commit a felony therein, and

(a) in effecting entry or in the course of committing the offense or in immediate flight thereafter, he or another participant in the offense is armed with explosives or a weapon; or

(b) in effecting entry or in the course of committing the offense, or in immediate flight thereafter he purposely, knowingly, or negligently inflicts or attempts to inflict

1 bodily injury upon anyone.

2 (3) A person convicted of the offense of burglary shall
3 be imprisoned in the state prison for any term not to exceed
4 ten (10) years. A person convicted of the offense of
5 aggravated burglary shall be imprisoned in the state prison
6 for any term not to exceed forty (40) years."

-End-

Approved by Committee
on Judiciary

Senate BILL NO. 120
Robert Cetrone

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1 SENATE BILL NO. 120

2 INTRODUCED BY ROBERTS, CETRONE

3
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-End-

REFERENCE BILL