

1 H BILL NO. 589
2 INTRODUCED BY W. Williams, J. G. Emerson, M. Lane

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GIVE JUSTICE,
5 MUNICIPAL, AND CITY COURTS EXCLUSIVE JURISDICTION OVER
6 TRAFFIC VIOLATIONS, FISH AND GAME VIOLATIONS AND FIRST-TIME
7 DRINKING VIOLATIONS COMMITTED BY MINORS, AND CONCURRENT
8 JURISDICTION WITH THE YOUTH COURT OVER MULTIPLE DRINKING
9 VIOLATIONS; AMENDING SECTION 10-1206, R.C.M. 1947."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 10-1206, R.C.M. 1947, is amended to
13 read as follows:

14 "10-1206. Jurisdiction of the court. (1) The court
15 has exclusive original jurisdiction of all proceedings under
16 the Montana Youth Court Act in which a youth is alleged to
17 be a delinquent youth; a youth in need of supervision; or a
18 youth in need of care, or concerning any person under
19 ~~twenty-one~~(21) years of age charged with having violated
20 any law of the state or ordinance of any city or town prior
21 to having become ~~eighteen~~(18) years of age.

22 (2) Justice, municipal, and police city courts shall
23 have concurrent exclusive jurisdiction with the youth court
24 over all drinking, traffic, and fish and game violations
25 alleged to have been committed by a youth except that the

1 following alleged violations are under the exclusive
2 jurisdiction of the youth court:

3 (a) driving while intoxicated as defined in section
4 32-2142, R.C.M. 1947;

5 (b) failing to stop at an accident as defined in
6 section 32-1202, R.C.M. 1947; and

7 ~~(c) driving without a valid license or permit as~~
8 ~~defined in sections 31-125 and 31-127, R.C.M. 1947, after~~
9 ~~having been previously convicted of the same offense.~~

10 (3) Notwithstanding subsection (2), justice,
11 municipal, and city courts have concurrent jurisdiction with
12 the youth court over youths charged with multiple drinking
13 violations.

-End-

INTRODUCED BILL

-1-

HB 589

Approved by Committee
on Judiciary

1 HOUSE BILL NO. 589
 2 INTRODUCED BY WILLIAMS, GERKE, SEVERSON, McLANE
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GIVE JUSTICE,
 5 MUNICIPAL, AND CITY COURTS EXCLUSIVE CONCURRENT JURISDICTION
 6 ~~OVER--TRAFFIC--VIOLATIONS,--FISH--AND--GAME--VIOLATIONS--AND~~
 7 ~~FIRST-TIME-DRINKING--VIOLATIONS--COMMITTED--BY--MINORS,--AND~~
 8 ~~CONCURRENT--JURISDICTION~~ WITH THE YOUTH COURT OVER MULTIPLE
 9 DRINKING VIOLATIONS; AMENDING SECTION 10-1206, R.C.M. 1947."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 10-1206, R.C.M. 1947, is amended to
 13 read as follows:
 14 "10-1206. Jurisdiction of the court. (1) The court
 15 has exclusive original jurisdiction of all proceedings under
 16 the Montana Youth Court Act in which a youth is alleged to
 17 be a delinquent youth; a youth in need of supervision; or a
 18 youth in need of care, or concerning any person under
 19 ~~twenty-one~~ {21} years of age charged with having violated
 20 any law of the state or ordinance of any city or town prior
 21 to having become ~~eighteen~~ {18} years of age.
 22 (2) Justice, municipal, and police city courts shall
 23 have concurrent ~~exclusive~~ CONCURRENT jurisdiction with the
 24 ~~youth--court~~ WITH THE YOUTH COURT over all drinking,
 25 traffic, and fish and game violations alleged to have been

1 committed by a youth except that the following alleged
 2 violations are under the exclusive jurisdiction of the youth
 3 court:
 4 (a) driving while intoxicated as defined in section
 5 32-2142, R.C.M. 1947;
 6 (b) failing to stop at an accident as defined in
 7 section 32-1202, R.C.M. 1947; and
 8 (c) ~~driving without a valid license or permit as~~
 9 ~~defined in sections 31-125 and 31-127, R.C.M. 1947, after~~
 10 ~~having been previously convicted of the same offense~~
 11 ~~(3) Notwithstanding subsection (2), justice,~~
 12 ~~municipal, and city courts have concurrent jurisdiction with~~
 13 ~~the youth court over youths charged with multiple drinking~~
 14 ~~violations."~~

-End-

THIRD READING

MISSING

March 25, 1977

STANDING COMMITTEE REPORT
Senate Committee on Judiciary

That House Bill No. 589 be amended as follows:

1. Amend title, line 5.

Following: "~~CITY~~"

Strike: "POLICE"

Insert: "CITY"

2. Amend title, line 9.

Following: "~~MULTIPLE~~"

Strike: "DRINKING"

Insert: "ALL TRAFFIC AND ALCOHOLIC BEVERAGE"

3. Amend page 1, section 1, line 23.

Following: "city"

Strike: "POLICE"

Insert: "city"

4. Amend page 1, section 1, line 25.

Following: "all"

Strike: "drinking"

Insert: "alcoholic beverage"

5. Amend page 2, section 1, lines 2 through 8.

Following: "youth" on line 2

Strike: lines 2 through 8 in their entirety

Insert: "."

1 HOUSE BILL NO. 589
 2 INTRODUCED BY WILLIAMS, GERKE, SEVERSON, McLANE
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GIVE JUSTICE,
 5 MUNICIPAL, AND CITY ~~POLICE CITY~~ COURTS EXCLUSIVE CONCURRENT
 6 JURISDICTION OVER ~~TRAFFIC VIOLATIONS, FISH AND GAME~~
 7 ~~VIOLATIONS AND FIRST-TIME DRINKING VIOLATIONS COMMITTED BY~~
 8 ~~MINORS AND CONCURRENT JURISDICTION WITH THE YOUTH COURT~~
 9 OVER MULTIPLE DRINKING ALL TRAFFIC AND ALCOHOLIC BEVERAGE
 10 VIOLATIONS; AMENDING SECTION 10-1206, R.C.M. 1947."
 11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 10-1206, R.C.M. 1947, is amended to
 14 read as follows:
 15 "10-1206. Jurisdiction of the court. (1) The court
 16 has exclusive original jurisdiction of all proceedings under
 17 the Montana Youth Court Act in which a youth is alleged to
 18 be a delinquent youth; a youth in need of supervision; or a
 19 youth in need of care, or concerning any person under
 20 ~~twenty-one~~(21) years of age charged with having violated
 21 any law of the state or ordinance of any city or town prior
 22 to having become ~~eighteen~~(18) years of age.
 23 (2) Justice, municipal, and ~~police city~~ POLICE CITY
 24 courts ~~shall~~ have concurrent exclusive CONCURRENT
 25 jurisdiction ~~with the youth court~~ WITH THE YOUTH COURT over

1 all drinking ALCOHOLIC BEVERAGE, traffic, and fish and game
 2 violations alleged to have been committed by a youth, except
 3 ~~that the following alleged violations are under the~~
 4 ~~exclusive jurisdiction of the youth court:~~
 5 (a) ~~driving while intoxicated as defined in section~~
 6 ~~32-2142, R.C.M. 1947;~~
 7 (b) ~~failing to stop at an accident as defined in~~
 8 ~~section 32-1202, R.C.M. 1947; and~~
 9 (c) ~~driving without a valid license or permit as~~
 10 ~~defined in sections 31-125 and 31-127, R.C.M. 1947, after~~
 11 ~~having been previously convicted of the same offense;~~
 12 ~~(3) Notwithstanding subsection (2), justice,~~
 13 ~~municipal, and city courts have concurrent jurisdiction with~~
 14 ~~the youth court over youths charged with multiple drinking~~
 15 ~~violations."~~

-End-