

1 ~~HOLAN~~ BILL NO. 734
 2 INTRODUCED BY BURNETT

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A MINIMUM
 5 ONE-YEAR PRISON TERM FOR A PERSON CONVICTED OF NEGLIGENT
 6 HOMICIDE IN CONNECTION WITH DRIVING A VEHICLE WHILE
 7 INTOXICATED."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Mandatory penalty for negligent homicide
 11 when driving while intoxicated. A person convicted of
 12 negligent homicide under 94-5-104 in connection with driving
 13 a motor vehicle while intoxicated shall be imprisoned in the
 14 state prison for a term of not less than 1 year or more than
 15 10 years. The imposition or execution of the first year of a
 16 sentence imposed under this section may not be deferred or
 17 suspended under subsection (1) or (2) of 95-2206.

-End-

HB 734

INTRODUCED BILL

STATE OF MONTANA

REQUEST NO. 469-77

FISCAL NOTE

Form BD-15

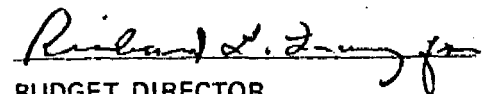
In compliance with a written request received February 10, 19 77, there is hereby submitted a Fiscal Note for House Bill 734 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide a minimum one-year prison term for a person convicted of negligent homicide in connection with driving a vehicle while intoxicated.

FISCAL IMPACT:

It was not possible to determine the number of persons convicted of negligent homicide in connection with a DWI who received a suspended or deferred sentence. Available data shows that in 1975, eight persons were convicted of negligent homicide. Sentencing data on negligent homicides is not available. If it is assumed that all eight were in connection with DWI and all received deferred or suspended sentences, then the impact would be an increase of eight persons in the prison for a two month period (average stay on a one year sentence). It is anticipated that if all other sentencing laws and practices remain as under current law, the persons affected by the proposed law could be absorbed without a need for additional funds. This also assumes that the prison will be funded at a level to accommodate existing population.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-18-77