

Approved by Committee
on Judiciary

1 SENATE BILL NO. 254
2 INTRODUCED BY ROBERTS
3 BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 71-226, R.C.M. 1947, TREATING WELFARE FRAUD AS THEFT."
7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9 Section 1. Section 71-226, R.C.M. 1947, is amended to
10 read as follows:
11 "71-226. Fraudulent acts. Whoever knowingly obtains
12 ~~or--attempts--to--obtain--or--aids--or--abets--any--person--to~~
13 ~~obtain~~ by means of A willfully false statement or
14 ~~representation~~ or by impersonation or other fraudulent
15 ~~device~~ public assistance to which he is not entitled
16 ~~assistance-greater-than-that-to-which-he-is-justly-entitled~~
17 ~~or--whoever--aids-or-abets-in-buying-or-in-any-way-disposing~~
18 ~~of-the-property-either-personal-or-real-of-a-recipient-of~~
19 ~~assistance--without-the-consent-of-the-county-department-and~~
20 ~~with-the-intent-to-defeat-the-purposes-of-this-act-shall-be~~
21 ~~IS~~ guilty of a misdemeanor theft as provided in 94-6-304. In
22 ~~assessing--the--penalty--the--court--shall--take--into~~
23 ~~consideration--among--other--factors--the--amount-of-money~~
24 ~~fraudulently-received"~~

-End-

SECOND READING

SB 254

1 SENATE BILL NO. 254
 2 INTRODUCED BY ROBERTS
 3 BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 6 71-226, R.C.M. 1947, TREATING WELFARE FRAUD AS THEFT."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Section 1. Section 71-226, R.C.M. 1947, is amended to
 10 read as follows:

11 "71-226. Fraudulent acts. Whoever knowingly obtains
 12 ~~or attempts to obtain, or aids, or abets any person to~~
 13 ~~obtain~~ by means of ~~a~~ willfully false statement ~~or~~
 14 ~~representation~~, or by impersonation, or other fraudulent
 15 device, public assistance to which he is not entitled,
 16 ~~assistance greater than that to which he is justly entitled,~~
 17 ~~or whoever aids or abets in buying or in any way disposing~~
 18 ~~of the property, either personal or real, of a recipient, of~~
 19 ~~assistance without the consent of the county department and~~
 20 ~~with the intent to defeat the purposes of this act, shall be~~
 21 is guilty of a misdemeanor theft as provided in 94-6-302. ~~in~~
 22 ~~assessing the penalty the court shall take into~~
 23 ~~consideration among other factors, the amount of money~~
 24 ~~fraudulently received."~~

-End-

SB254

THIRD READING

1 SENATE BILL NO. 254
 2 INTRODUCED BY ROBERTS
 3 BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 6 71-226, R.C.M. 1947, TREATING WELFARE FRAUD AS THEFT."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Section 1. Section 71-226, R.C.M. 1947, is amended to
 10 read as follows:

11 "71-226. Fraudulent acts. Whoever knowingly obtains
 12 ~~or attempts to obtain or aids or abets any person to~~
 13 obtain by means of A willfully false statement or
 14 representation or by impersonation or other fraudulent
 15 device public assistance to which he is not entitled
 16 ~~assistance greater than that to which he is justly entitled~~
 17 ~~or whoever aids or abets in buying or in any way disposing~~
 18 ~~of the property, either personal or real, of a recipient of~~
 19 ~~assistance without the consent of the county department and~~
 20 ~~with the intent to defeat the purposes of this act, shall be~~
 21 IS guilty of a misdemeanor ~~theft as provided in 94-6-302.~~ in
 22 ~~assessing the penalty the court shall take into~~
 23 ~~consideration among other factors the amount of money~~
 24 fraudulently received"

-End-

REFERENCE BILL

SB 254