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Senate BILL NO. *415*
Roberts

INTRODUCED BY _____

1 imposed."

-End-

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR \$7.50 IN COURT COSTS IN JUSTICES' COURTS FOR EACH PRELIMINARY HEARING HELD AND TO PROVIDE THAT JUSTICE'S COURT COSTS IN CRIMINAL ACTIONS SHALL BE WITHHELD REGARDLESS OF THE COURT'S FINDING OR THE SENTENCE IMPOSED; AMENDING SECTION 25-310, R.C.M. 1947."

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

Section 1. Section 25-310, R.C.M. 1947, is amended to read as follows:

"25-310. Justice court costs in criminal actions. (1) The following court costs shall be withheld by justices of the peace from fines and forfeitures in applicable criminal actions:

(a) for each action filed, ~~seven-dollars-and-fifty cents-(\$7.50);~~

(b) for each preliminary hearing held, an additional \$7.50;

(c) where there is a trial, ~~an additional seven dollars-and-fifty-cents-(\$7.50).~~

(2) The costs listed in subsection (1) shall be withheld regardless of the court's finding or the sentence

INTRODUCED BILL

SB415

FISCAL NOTE

Form BD-15

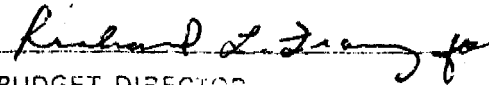
In compliance with a written request received March 15, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 415 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide for \$7.50 in court costs in Justices' Courts for each preliminary hearing held and to provide that Justice's court costs in criminal actions shall be withheld regardless of the Court's finding or the sentence imposed.

FISCAL IMPACT:

Due to the fact that data concerning the number of justice court cases dismissed is not readily available, no estimate of the fiscal impact of the proposed legislation can be made; however, it appears that the proposed legislation authorizes withholdings equal to withholdings made prior to December 31, 1976.


BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 5-25-77

Approved by Committee
on Judiciary

1 Senate BILL NO. 415
2 INTRODUCED BY Roberts

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-End-

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6 HELD AND TO PROVIDE THAT JUSTICE'S COURT COSTS IN CRIMINAL
7 ACTIONS SHALL BE WITHHELD REGARDLESS OF THE COURT'S FINDING
8 OR THE SENTENCE IMPOSED; AMENDING SECTION 25-310, R.C.M.
9 1947."

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14 "25-310. Justice court costs in criminal actions. (1)
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16 the peace from fines and forfeitures in applicable criminal
17 actions:

18 ~~(1)(a) for each action filed, seven-dollars-and-fifty~~
19 ~~cents-(\$7.50);~~

20 ~~(b) for each preliminary hearing held, an additional~~
21 ~~\$7.50;~~

22 ~~(2)(c) where there is a trial, an additional seven~~
23 ~~dollars-and-fifty-cents-(\$7.50).~~

24 ~~(2) The costs listed in subsection (1) shall be~~
25 ~~withheld regardless of the court's finding or the sentence~~

SECOND READING

-2-

SB415

1 *Senate* BILL NO. 415
2 INTRODUCED BY *Roberts*

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-End-

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SB415

HOUSE OF REPRESENTATIVES

March 8, 1977

HOUSE COMMITTEE ON JUDICIARY AMENDS SENATE BILL 415 AS FOLLOWS:

1. Amend page 1, section 1, line 16.
Following: "from"
Insert: "accumulated"

AS AMENDED BE CONCURRED IN

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SENATE BILL NO. 415
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