

HOUSE BILL 569

IN THE HOUSE

February 5, 1979	Introduced and referred to Committee on Judiciary.
February 12, 1979	Committee recommend bill, do pass.
February 13, 1979	Second reading, do pass.
February 14, 1979	Considered correctly engrossed.
February 15, 1979	Third reading, passed.

IN THE SENATE

February 16, 1979	Introduced and referred to Committee on Judiciary.
March 6, 1979	Committee recommend bill, not concurred.

IN THE HOUSE

March 7, 1979	Returned from the Senate, not concurred.
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HOUSE BILL NO. *569*

INTRODUCED BY *Henson - Taylor*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN A
CRIMINAL ACTION ENTRAPMENT IS AN AFFIRMATIVE DEFENSE WHICH
THE DEFENDANT MUST PROVE BY A PREPONDERANCE OF THE EVIDENCE;
AMENDING SECTION 45-2-213, MCA."

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

Section 1. Section 45-2-213, MCA, is amended to read:

"45-2-213. Entrapment. A person is not guilty of an
offense if his conduct is incited or induced by a public
servant or his agent for the purpose of obtaining evidence
for the prosecution of such person. However, this section is
inapplicable if a public servant or his agent merely affords
to such person the opportunity or facility for committing an
offense in furtherance of criminal purpose which such person
has originated. The defense of entrapment is an affirmative
defense which the defendant must prove by a preponderance of
the evidence."

-End-

HD 569
INTRODUCED BILL

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HB 569
THIRD READING