

HOUSE BILL 602

IN THE HOUSE

February 6, 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 Senate, not concurred.
---------------	--------------------------------------

1 House BILL NO. 602  
2 INTRODUCED BY Simons

2 INTRODUCED BY Janet

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN A  
5 CRIMINAL ACTION COMPELSION IS AN AFFIRMATIVE DEFENSE WHICH  
6 THE DEFENDANT MUST PROVE BY A PREPONDERANCE OF THE EVIDENCE;  
7 AMENDING SECTION 45-2-212, MCA."

8

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

10           Section 1. Section 45-2-212, MCA, is amended to read:

11           "45-2-212. Compulsion. A person is not guilty of an

12 offense, other than an offense punishable with death, by

13 reason of conduct which he performs under the compulsion of

14 threat or menace of the imminent infliction of death or

15 serious bodily harm if he reasonably believes that death or

16 serious bodily harm will be inflicted upon him if he does

17 not perform such conduct. The defense of compulsion is an

18 affirmative defense which the defendant must prove by a

19 preponderance of the evidence."

-End-

HB 602  
INTRODUCED BILL

1 House BILL NO. 602

2 INTRODUCED BY Chairman

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN A

5 CRIMINAL ACTION COMPELATION IS AN AFFIRMATIVE DEFENSE WHICH

6 THE DEFENDANT MUST PROVE BY A PREPONDERANCE OF THE EVIDENCE;

7 AMENDING SECTION 45-2-212, MCA."

8

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

10 Section 1. Section 45-2-212, MCA, is amended to read:

11 "45-2-212. Compulsion. A person is not guilty of an

12 offense, other than an offense punishable with death, by

13 reason of conduct which he performs under the compulsion of

14 threat or menace of the imminent infliction of death or

15 serious bodily harm if he reasonably believes that death or

16 serious bodily harm will be inflicted upon him if he does

17 not perform such conduct. The defense of compulsion is an

18 affirmative defense which the defendant must prove by a

19 preponderance of the evidence."

-End-

HB 602  
THIRD READING