

HOUSE BILL 602

IN THE HOUSE

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| 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

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

IN THE HOUSE

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| March 7, 1979 | Returned from Senate, not concurred. |
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1 HOUSE BILL NO. 602
2 INTRODUCED BY Simonsen

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT IN A
5 CRIMINAL ACTION COMPULSION 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-

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INTRODUCED BILL

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HB 602
THIRD READING