

HOUSE BILL NO. 494

Introduced: 01/25/83

Referred to Committee on Judiciary: 01/25/83

Hearing: 2/9/83

Report: 02/09/83, Do Not Pass

Bill Killed: 02/10/83

1 House BILL NO. 494  
2 INTRODUCED BY Donna - Kelly J. Jensen

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A PERSON  
5 MAKING AN ARREST TO BRING THE ARRESTED PERSON BEFORE A JUDGE  
6 OF THE COUNTY NEAREST TO THE COUNTY IN WHICH THE WARRANT WAS  
7 ISSUED IF THE ISSUING JUDGE IS ABSENT OR UNABLE TO ACT;  
8 AMENDING SECTION 46-7-101, MCA."

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

11 Section 1. Section 46-7-101, MCA, is amended to read:

12 "46-7-101. Bringing arrested person before a court.

13 (1) Any person making an arrest under a warrant shall take  
14 the arrested person without unnecessary delay before the  
15 judge issuing the warrant or, if he is absent or unable to  
16 act, before the nearest or most accessible judge of the same  
17 or nearest county. If an arrest is made in a county other  
18 than the one in which the warrant was issued, the arrested  
19 person shall be taken without unnecessary delay before the  
20 nearest and most accessible judge in the county where the  
21 arrest was made.

22 (2) Any person making an arrest without a warrant  
23 shall take the arrested person without unnecessary delay  
24 before the nearest or most accessible judge in the same  
25 county, and a complaint stating the charges against the

1 arrested person shall be filed forthwith."

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