

HOUSE BILL NO. 353

1/22 Introduced
1/22 Referred to Judiciary
2/06 Hearing
2/08 Committee Report-Bill Do Pass
2/09 2nd Reading Pass
2/12 3rd Reading Pass

Transmitted to Senate

2/13 Referred to Judiciary
3/15 Hearing
3/15 Tabled in Committee

1 HOUSE BILL NO. 353
2 INTRODUCED BY Richard M. Nelson

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBSTITUTING "AN
5 OFFENSE" FOR "A FELONY" IN STATUTE MAKING IT AGGRAVATED
6 BURGLARY TO ENTER AN OCCUPIED STRUCTURE FOR PURPOSES OF
7 COMMITTING A FELONY; AMENDING SECTION 45-6-204, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 45-6-204, MCA, is amended to read:

11 "45-6-204. Burglary. (1) A person commits the offense
12 of burglary if he knowingly enters or remains unlawfully in
13 an occupied structure with the purpose to commit an offense
14 therein.

15 (2) A person commits the offense of aggravated
16 burglary if he knowingly enters or remains unlawfully in an
17 occupied structure with the purpose to commit ~~a felony~~ an
18 offense therein and:

19 (a) in effecting entry or in the course of committing
20 the offense or in immediate flight thereafter, he or another
21 participant in the offense is armed with explosives or a
22 weapon; or

23 (b) in effecting entry or in the course of committing
24 the offense or in immediate flight thereafter, he purposely,
25 knowingly, or negligently inflicts or attempts to inflict

1 bodily injury upon anyone.
2 (3) A person convicted of the offense of burglary
3 shall be imprisoned in the state prison for any term not to
4 exceed 10 years or be fined an amount not to exceed \$50,000,
5 or both. A person convicted of the offense of aggravated
6 burglary shall be imprisoned in the state prison for any
7 term not to exceed 40 years or be fined an amount not to
8 exceed \$50,000, or both."

-End-



APPROVED BY COMMITTEE
ON JUDICIARY

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-2- THIRD READING
HB 353