

HOUSE BILL NO. 629

INTRODUCED BY PAVLOVICH, DRISCOLL, D. BROWN

IN THE HOUSE

February 1, 1985	Introduced and referred to Committee on State Administration.
February 13, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
February 16, 1985	Second reading, do pass.  Considered correctly engrossed.
February 18, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 19, 1985	Introduced and referred to Committee on State Administration.
March 19, 1985	Committee recommend bill be concurring in. Report adopted.
March 22, 1985	Second reading, concurred in.
March 25, 1985	Third reading, concurred in. Ayes, 49; Noes, 0.  Returned to House.

IN THE HOUSE

March 26, 1985	Received from Senate.  Sent to enrolling.  Reported correctly enrolled.
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1 HOUSE BILL NO. 629  
 2 INTRODUCED BY Farovich Swirell  
 3 Carroll

4 A BILL FOR AN ACT ENTITLED: "AN ACT REALLOCATING MONEY FROM  
 5 FINES COLLECTED FROM PERSONS APPREHENDED OR ARRESTED BY A  
 6 SHERIFF OR DEPUTY SHERIFF FOR A MOTOR VEHICLE VIOLATION;  
 7 AMENDING SECTIONS 61-12-701 AND 61-12-702, MCA."

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

10 Section 1. Section 61-12-701, MCA, is amended to read:

11 "61-12-701. ~~Highway-patrol----disposition~~ Disposition  
 12 of fines and forfeitures. (1) All fines and forfeitures  
 13 collected in any court ~~from-persons-apprehended-or--arrested~~  
 14 ~~by--patrolmen~~ for violation of the laws and regulations  
 15 relating to the use of state highways and the operation of  
 16 vehicles thereon, if the apprehension or arrest was by a  
 17 highway patrolman, must be paid to the state treasurer and  
 18 by him credited to the general fund of the state or, if the  
 19 apprehension or arrest was by a sheriff or deputy sheriff,  
 20 must be paid to the county treasurer for deposit in the  
 21 county general fund, except for that portion of the fines  
 22 otherwise allocated by law which ~~shall~~ must be paid into the  
 23 appropriate accounts in the state special revenue fund.

24 (2) At the time of payment of ~~any-such~~ the fine or  
 25 forfeiture, there ~~shall~~ must be filed with the state

1 appropriate treasurer a complete statement showing the total  
 2 of the fines or forfeitures received or incurred, ~~which~~  
 3 ~~statement-shall-give~~ giving the title of the court and  
 4 cause, and be subscribed to by the person or officer making  
 5 the payments."

6 Section 2. Section 61-12-702, MCA, is amended to read:

7 "61-12-702. Court costs -- fees and expenses of  
 8 counties. The court, after deducting all costs and fees,  
 9 shall immediately transmit the balance of ~~said~~ the fine to  
 10 the state or county treasurer as provided by law. The  
 11 expenses of the county, except fees of officers who are paid  
 12 a regular salary, ~~shall--constitute~~ are a proper claim  
 13 against the state ~~of--Montana~~ or county and ~~said-claim-or~~  
 14 claims ~~shall~~ must be paid in the manner provided by law out  
 15 of the funds appropriated for such purposes."

-End-

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 629  
2 INTRODUCED BY Patrick D. Smith  
3 Gene Brown

4 A BILL FOR AN ACT ENTITLED: "AN ACT REALLOCATING MONEY FROM  
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-End-



-2-  
SECOND READING  
HB 629

1 HOUSE BILL NO. 629  
 2 INTRODUCED BY Patrick D. Dineen  
 3 Carlson

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 12 a regular salary, ~~shall constitute~~ are a proper claim  
 13 against the state ~~of Montana~~ or county and ~~said claim or~~  
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-End-



-2-  
 THIRD READING  
 HB 629

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(2) At the time of payment of any-such the fine or forfeiture, there shall must be filed with the state

appropriate treasurer a complete statement showing the total of the fines or forfeitures received or incurred, which statement-shall-give giving the title of the court and cause, and be subscribed to by the person or officer making the payments."

Section 2. Section 61-12-702, MCA, is amended to read:

"61-12-702. Court costs -- fees and expenses of counties. The court, after deducting all costs and fees, shall immediately transmit the balance of said the fine to the state or county treasurer as provided by law. The expenses of the county, except fees of officers who are paid a regular salary, shall--constitute are a proper claim against the state of--Montana or county and said-claim-or claims shall must be paid in the manner provided by law out of the funds appropriated for such purposes."

-End-

