

HOUSE BILL NO. 667

INTRODUCED BY DONALDSON, MANUEL, FULLER, MAZUREK,
CRIPPEN, FARRELL, HAGER, HAFFEY, HALLIGAN

BY REQUEST OF THE BOARD OF CRIME CONTROL

IN THE HOUSE

February 4, 1985	Introduced and referred to Committee on Judiciary.
February 8, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 9, 1985	Second reading, do pass. On motion, taken from engrossing and rereferred to Committee on Appropriations.
March 30, 1985	Committee recommend bill do pass as amended. Report adopted. Bill printed and placed on members' desks.
April 1, 1985	Second reading, do pass. Third reading, passed. Transmitted to Senate.

IN THE SENATE

April 3, 1985	Introduced and referred to Committee on Finance and Claims.
April 12, 1985	Committee recommend bill be concurring in. Report adopted.

April 15, 1985

Second reading, concurred in.

April 17, 1985

Third reading, concurred in.
Ayes, 47; Noes, 2.

Returned to House.

IN THE HOUSE

April 18, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 public safety and protection reasonably require detention;
2 and

3 (d) the court so orders.

4 (3) The official in charge of a jail or other facility
5 for the detention of adult offenders or persons charged with
6 crime shall inform the court immediately if a person who is
7 or appears to be under the age of 18 years is received at
8 the facility. Such official shall bring the person before
9 the court upon request or deliver him to a detention
10 facility designated by the court.

11 (4) (a) A youth alleged to be a delinquent youth may
12 be detained at Mountain View school as provided in
13 53-30-202. The superintendent of the school must be notified
14 before a youth is transported to the school for detention.
15 The county of the youth's residence shall:

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17 the school;

18 (ii) pay medical costs incurred by the youth during
19 detention; and

20 (iii) reimburse the state general fund for 50% of the
21 per diem cost of detention. The department of institutions
22 shall determine the per diem rates according to 53-1-401(7)
23 and 53-1-404.

24 (b) The county shall pay the costs provided for in
25 subsection (4)(a) from the county's district court fund.

1 ~~(4)~~(5) A youth alleged to be in need of care shall be
2 placed only in the facilities stated in subsection (1) of
3 this section and shall not be detained in a jail or other
4 facility intended or used for the detention of adults
5 charged with criminal offenses."

6 Section 3. Section 53-30-202, MCA, is amended to read:
7 "53-30-202. Establishment of juvenile correctional
8 facilities -- use of Mountain View school to include
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10 annual or biennial budgetary appropriation, may establish,
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13 these services. The children must be 10 years of age or
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16 school, and the youth forest camp.

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20 youths. The superintendent shall establish a procedure to
21 assure that this capacity for detention is not exceeded.
22 Youths detained at the school are entitled to the
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24 students at the school, subject to security provisions."

25 NEW SECTION. Section 4. Appropriation. (1) There is

1 appropriated \$63,200 from the general fund to the Department
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3 and July 1, 1986, for the building modifications at Mountain
4 View School required to implement this act.

5 (2) There is appropriated \$187,777 from the general
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7 ending July 1, 1987, for the operational expenses to
8 implement this act.

9 NEW SECTION. Section 5. Termination date. This act
10 terminates July 1, 1987.

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-End-

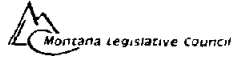
APPROVED BY COMMITTEE ON JUDICIARY

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7 VIEW SCHOOL; REQUIRING THE COUNTY OF THE YOUTH'S RESIDENCE
8 TO PAY CERTAIN EXPENSES RESULTING FROM THE DETENTION;
9 APPROPRIATING FUNDS TO THE DEPARTMENT OF INSTITUTIONS;
10 AMENDING SECTIONS 41-5-207, 41-5-306, AND 53-30-202, MCA;
11 PROVIDING A TERMINATION DATE; AND PROVIDING EFFECTIVE
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
15 Section 1. Section 41-5-207, MCA, is amended to read:
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-2-
SECOND READING
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RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS

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 4 BILLED MONTHLY FOR SERVICES PROVIDED THE PRECEDING MONTH,
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REFERENCE BILL

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2 youths under the age of 18 who are alleged to be delinquent
3 youths. The superintendent shall establish a procedure to
4 assure that this capacity for detention is not exceeded.
5 Youths detained at the school are entitled to the
6 educational and ancillary services normally provided to
7 students at the school, subject to security provisions."

8 NEW SECTION. Section 4. Appropriation. (1) There is
9 appropriated \$63,200 from the general fund to the Department
10 of Institutions for the fiscal years ending July 1, 1985,
11 and July 1, 1986, for the building modifications at Mountain
12 View School required to implement this act.

13 (2) There is appropriated \$187,777 from the general
14 fund to the Department of Institutions for the biennium
15 ending July 1, 1987, for the operational expenses to
16 implement this act.

17 NEW SECTION. Section 5. Termination date. This act
18 terminates July 1, 1987.

19 NEW SECTION. Section 6. Effective dates. (1) Section
20 4(1) and this section are effective on passage and approval.

21 (2) Section 4(2) is effective July 1, 1985.

22 (3) Sections 1 through 3 and 5 are effective October
23 1, 1985.

-End-