

HOUSE BILL NO. 706

INTRODUCED BY MERCER, QUILICI, HALLIGAN

IN THE HOUSE

February 7, 1985	Introduced and referred to Committee on Judiciary.
February 18, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 20, 1985	Second reading, do pass. Considered correctly engrossed.
February 21, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 22, 1985	Introduced and referred to Committee on Judiciary.
March 16, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 21, 1985	Second reading, concurred in.
March 23, 1985	Third reading, concurred in. Ayes, 49; Noes, 0. Returned to House with amendments.

IN THE HOUSE

March 25, 1985

Received from Senate.

April 8, 1985

Second reading, amendments
concurrent in.

On motion, rules suspended and
bill placed on third reading
this day.

Third reading, amendments
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 706
2 INTRODUCED BY Marcus Quinn, Kellum
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE ARSON
5 LAW; AMENDING SECTIONS 45-6-102 AND 45-6-103, MCA."
6

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

8 Section 1. Section 45-6-102, MCA, is amended to read:

9 "45-6-102. Negligent arson. (1) A person commits the
10 offense of negligent arson if he purposely or knowingly
11 starts a fire or causes an explosion, whether on his own
12 property or property of another, and thereby negligently:

13 (a) places another person in danger of death or bodily
14 injury, including a firefighter responding to or at the
15 scene of a fire or explosion; or

16 (b) places property of another in danger of damage or
17 destruction.

18 (2) A person convicted of the offense of negligent
19 arson shall be fined not to exceed \$500 or be imprisoned in
20 the county jail for any term not to exceed 6 months, or
21 both. If the offender places another person in danger of
22 death or bodily injury, he shall be fined not to exceed
23 \$50,000 or be imprisoned in the state prison for any term
24 not to exceed 10 years, or both."

25 Section 2. Section 45-6-103, MCA, is amended to read:

1 "45-6-103. Arson. (1) A person commits the offense of
2 arson when, by means of fire or explosives, he knowingly or
3 purposely:

4 (a) damages or destroys an occupied structure or other
5 occupied property which is property of another without
6 consent; or

7 (b) places another person in danger of death or bodily
8 injury, including a firefighter responding to or at the
9 scene of a fire or explosion.

10 (2) A person convicted of the offense of arson shall
11 be imprisoned in the state prison for any term not to exceed
12 20 years or be fined an amount not to exceed \$50,000, or
13 both."

-End-



APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 706
2 INTRODUCED BY Marcus L. Sullivan, Halligan

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE ARSON
5 LAW; AMENDING SECTIONS 45-6-102 AND 45-6-103, MCA."

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Section 45-6-102, MCA, is amended to read:

9 "45-6-102. Negligent arson. (1) A person commits the
10 offense of negligent arson if he purposely or knowingly
11 starts a fire or causes an explosion, whether on his own
12 property or property of another, and thereby negligently:

13 (a) places another person in danger of death or bodily
14 injury, including a firefighter responding to or at the
15 scene of a fire or explosion; or

16 (b) places property of another in danger of damage or
17 destruction.

18 (2) A person convicted of the offense of negligent
19 arson shall be fined not to exceed \$500 or be imprisoned in
20 the county jail for any term not to exceed 6 months, or
21 both. If the offender places another person in danger of
22 death or bodily injury, he shall be fined not to exceed
23 \$50,000 or be imprisoned in the state prison for any term
24 not to exceed 10 years, or both."

25 Section 2. Section 45-6-103, MCA, is amended to read:

1 "45-6-103. Arson. (1) A person commits the offense of
2 arson when, by means of fire or explosives, he knowingly or
3 purposely:

4 (a) damages or destroys an occupied structure or other
5 occupied property which is property of another without
6 consent; or

7 (b) places another person in danger of death or bodily
8 injury, including a firefighter responding to or at the
9 scene of a fire or explosion.

10 (2) A person convicted of the offense of arson shall
11 be imprisoned in the state prison for any term not to exceed
12 20 years or be fined an amount not to exceed \$50,000, or
13 both."

-End-

1 HOUSE BILL NO. 706
2 INTRODUCED BY Mercer Sullivan, Volpe
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE ARSON
5 LAW; AMENDING SECTIONS 45-6-102 AND 45-6-103, MCA."
6

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

8 Section 1. Section 45-6-102, MCA, is amended to read:

9 "45-6-102. Negligent arson. (1) A person commits the
10 offense of negligent arson if he purposely or knowingly
11 starts a fire or causes an explosion, whether on his own
12 property or property of another, and thereby negligently:

13 (a) places another person in danger of death or bodily
14 injury, including a firefighter responding to or at the
15 scene of a fire or explosion; or

16 (b) places property of another in danger of damage or
17 destruction.

18 (2) A person convicted of the offense of negligent
19 arson shall be fined not to exceed \$500 or be imprisoned in
20 the county jail for any term not to exceed 6 months, or
21 both. If the offender places another person in danger of
22 death or bodily injury, he shall be fined not to exceed
23 \$50,000 or be imprisoned in the state prison for any term
24 not to exceed 10 years, or both."

25 Section 2. Section 45-6-103, MCA, is amended to read:

1 "45-6-103. Arson. (1) A person commits the offense of
2 arson when, by means of fire or explosives, he knowingly or
3 purposely:

4 (a) damages or destroys an occupied structure or other
5 occupied property which is property of another without
6 consent; or

7 (b) places another person in danger of death or bodily
8 injury, including a firefighter responding to or at the
9 scene of a fire or explosion.

10 (2) A person convicted of the offense of arson shall
11 be imprisoned in the state prison for any term not to exceed
12 20 years or be fined an amount not to exceed \$50,000, or
13 both."

-End-

STANDING COMMITTEE REPORT

SENATE

March 15 19 85

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration HOUSE BILL No. 706

third reading copy (blue color)

(Senator Pinsoneault)

CLARIFY THE ARSON LAW

Respectfully report as follows: That HOUSE BILL No. 706

be amended as follows:

Page 2, line 4.

Following: "structure"

Strike: remainder of line 4 through "property" on line 5

pc

AND AS AMENDED

BE CONCURRED IN

XXXXXX

XXXXXXXXXX

Handwritten signature of Senator Joe Mazurek

Senator Joe Mazurek

Chairman.

HOUSE BILL NO. 706

INTRODUCED BY MERCER, QUILICI, HALLIGAN

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE ARSON LAW; AMENDING SECTIONS 45-6-102 AND 45-6-103, MCA."

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

Section 1. Section 45-6-102, MCA, is amended to read:

"45-6-102. Negligent arson. (1) A person commits the offense of negligent arson if he purposely or knowingly starts a fire or causes an explosion, whether on his own property or property of another, and thereby negligently:

(a) places another person in danger of death or bodily injury, including a firefighter responding to or at the scene of a fire or explosion; or

(b) places property of another in danger of damage or destruction.

(2) A person convicted of the offense of negligent arson shall be fined not to exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both. If the offender places another person in danger of death or bodily injury, he shall be fined not to exceed \$50,000 or be imprisoned in the state prison for any term not to exceed 10 years, or both."

Section 2. Section 45-6-103, MCA, is amended to read:

"45-6-103. Arson. (1) A person commits the offense of arson when, by means of fire or explosives, he knowingly or purposely:

(a) damages or destroys an occupied structure ~~or other occupied-property~~ which is property of another without consent; or

(b) places another person in danger of death or bodily injury, including a firefighter responding to or at the scene of a fire or explosion.

(2) A person convicted of the offense of arson shall be imprisoned in the state prison for any term not to exceed 20 years or be fined an amount not to exceed \$50,000, or both."

-End-

