

HOUSE BILL NO. 779

INTRODUCED BY CONNELLY, QUILICI, LORY, GAGE, KEATING

BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

February 11, 1985	Introduced and referred to Committee on Judiciary.
February 20, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
February 22, 1985	Second reading, do pass.  Considered correctly engrossed.
February 23, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

March 4, 1985	Introduced and referred to Committee on State Administration.
March 25, 1985	Committee recommend bill be concurrred in. Report adopted.
March 28, 1985	Second reading, pass consideration.  On motion, taken from second reading and rereferred to Committee on Finance and Claims.

April 5, 1985

Committee recommend bill be  
concurrent in as amended.  
Report adopted.

April 9, 1985

Second reading, concurred in.

April 11, 1985

Third reading, concurred in.  
Ayes, 50; Noes, 0.

Returned to House with  
amendments.

#### IN THE HOUSE

April 12, 1985

Received from Senate.

April 13, 1985

Second reading, amendments  
concurrent in.

April 15, 1985

Third reading, amendments  
concurrent in.

Sent to enrolling.

Reported correctly enrolled.





HOUSE BILL NO. 779

INTRODUCED BY

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SPECIAL LAW ENFORCEMENT ASSISTANCE ACCOUNT; AUTHORIZING THE ACCOUNT TO RECEIVE FUNDS AND PROPERTIES FORFEITED UNDER FEDERAL LAW; AND PERMANENTLY APPROPRIATING THE PROCEEDS OF THE ACCOUNT FOR SPECIFIED LAW ENFORCEMENT PURPOSES."

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

Section 1. Law enforcement assistance account created.

There is an account in the federal special revenue fund defined in 17-2-102 to be known as the special law enforcement assistance account.

Section 2. Federal forfeitures deposited in account.

Property and money forfeited under federal law and provided to the state by the federal government to support state and local law enforcement programs must be deposited to the special law enforcement assistance account established in [section 1].

Section 3. Limitations on use of special law enforcement assistance account. Money, property, and proceeds from property credited to the account may be used only for the following types of activities:

(1) payment of informants;

(2) use by undercover agents to purchase unlawful substances, including, without limitation, counterfeit or real controlled substances, pornographic materials, stolen property, or other contraband;

(3) use as gambling front money by undercover agents; and

(4) payment of overtime to state or local law enforcement officers when engaged in special investigations.

Section 4. Permanent appropriation. Money, property, and proceeds from property deposited in the special law enforcement assistance account is permanently [and statutorily] appropriated [as provided in section 2 of House Bill No. 12] to the Department of Justice for the purposes of [section 3].

Section 5. Coordination instruction. (1) If House Bill No. 12, including the section of the bill that lists the sections of law containing statutory appropriations, is passed and approved, that section includes a reference to section 1 of this act.

(2) If House Bill No. 12 is not passed and approved, the bracketed material in section 4, except the reference to "section 3", is void.

-End-

# SENATE STANDING COMMITTEE REPORT

.....April 4..... 19..85..

MR. PRESIDENT

We, your committee on..... Finance and Claims .....

having had under consideration..... House Bill..... No..... 779.....

third..... reading copy (blue..... )  
color

CREATES SPECIAL LAW ENFORCEMENT ACCOUNT - APPROPRIATES PROCEEDS

CONNELLY ( Manning)

Respectfully report as follows: That..... House Bill..... No..... 779,..  
be amended as follows:

1. Title, line 8.  
Following: "AND"  
Strike: "PERMANENTLY"
2. Page 2, line 10.  
Following: "Section 4."  
Strike: "Permanent appropriation"  
Insert: "Appropriation"
3. Page 2, line 12.  
Following: "account"  
Insert: "in the biennium ending June 30, 1987,"
4. Page 2, line 12 and 13.  
Following: "account is"  
Strike: "permanently [and statutorily]"
5. Page 2, line 13 and 14.  
Following: "appropriated"  
Strike: "[as provided in Section 2 of House Bill No. 12]"
6. Page 2, lines 16 through 23.  
Strike: Section 5 in its entirety

AND AS AMENDED  
~~BE~~  
BE CONCURRED IN

~~ROXXXX~~

~~ROXXXX~~

.....  
SENATOR PAUL REGAN

Chairman.

## 1 HOUSE BILL NO. 779

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3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SPECIAL LAW  
6 ENFORCEMENT ASSISTANCE ACCOUNT; AUTHORIZING THE ACCOUNT TO  
7 RECEIVE FUNDS AND PROPERTIES FORFEITED UNDER FEDERAL LAW;  
8 AND PERMANENTLY APPROPRIATING THE PROCEEDS OF THE ACCOUNT  
9 FOR SPECIFIED LAW ENFORCEMENT PURPOSES."

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

12 Section 1. Law enforcement assistance account created.  
13 There is an account in the federal special revenue fund  
14 defined in 17-2-102 to be known as the special law  
15 enforcement assistance account.

16 Section 2. Federal forfeitures deposited in account.  
17 Property and money forfeited under federal law and provided  
18 to the state by the federal government to support state and  
19 local law enforcement programs must be deposited to the  
20 special law enforcement assistance account established in  
21 [section 1].

22 Section 3. Limitations on use of special law  
23 enforcement assistance account. Money, property, and  
24 proceeds from property credited to the account may be used  
25 only for the following types of activities:

1 (1) payment of informants;

2 (2) use by undercover agents to purchase unlawful  
3 substances, including, without limitation, counterfeit or  
4 real controlled substances, pornographic materials, stolen  
5 property, or other contraband;

6 (3) use as gambling front money by undercover agents;

7 and

8 (4) payment of overtime to state or local law  
9 enforcement officers when engaged in special investigations.

10 Section 4. ~~Permanent~~ APPROPRIATION.

11 Money, property, and proceeds from property deposited in the  
12 special law enforcement assistance account IN THE BIENNIUM  
13 ENDING JUNE 30, 1987 is permanently ~~and statutory~~  
14 appropriated ~~as provided in section 2 of House Bill No. 12~~  
15 to the Department of Justice for the purposes of [section  
16 3].

17 ~~Section 5. Coordination instruction. (1) If House~~  
18 ~~Bill No. 12, including the section of the bill that lists~~  
19 ~~the sections of law containing statutory appropriations, is~~  
20 ~~passed and approved, that section includes a reference to~~  
21 ~~section 1 of this act.~~

22 ~~(2) If House Bill No. 12 is not passed and approved,~~  
23 ~~the bracketed material in section 4, except the reference to~~  
24 ~~"section 3", is void.~~

-End-