

HOUSE BILL NO. 837

INTRODUCED BY PAVLOVICH

IN THE HOUSE

February 15, 1985	Introduced and referred to Committee on Judiciary.
February 19, 1985	Committee recommend bill do pass as amended. Report adopted.
February 20, 1985	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 Judiciary.
March 28, 1985	Committee recommend bill be concurred in as amended. Report adopted.
March 29, 1985	On motion, rules temporarily suspended in order that all bills considered on second reading on the 70th Legislative Day advance to third reading that same day.

April 1, 1985

Second reading, concurred in.

Third reading, concurred in.  
Ayes, 48; Noes, 2.

Returned to House with  
amendments.

IN THE HOUSE

April 2, 1985

Received from Senate.

April 8, 1985

Second reading, amendments  
concurred in.

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

Third reading, amendments  
concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 837  
2 INTRODUCED BY Carlson

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE  
5 OFFENSE OF HARMING A POLICE DOG AND PRESCRIBING PENALTIES."

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

8 Section 1. Definitions. As used in [this act], the  
9 following definitions apply:

10 (1) "Law enforcement officer" means a person who is a  
11 peace officer as defined in 46-1-201.

12 (2) "Police dog" means a dog that is:

13 (a) used by a law enforcement agency, as defined in  
14 7-32-201, in the exercise of its authority;

15 (b) specifically trained for law enforcement work; and

16 (c) under the control of a law enforcement officer.

17 Section 2. Harming a police dog -- penalty. (1) A  
18 person commits the offense of harming a police dog if he  
19 purposely or knowingly disables, shoots, kills, or otherwise  
20 injures by any means a police dog being used by a law  
21 enforcement officer in discharging or attempting to  
22 discharge any legal duty or power of his office.

23 (2) A person convicted of the offense of harming a  
24 police dog may be fined an amount not to exceed \$10,000 or  
25 be imprisoned in the state prison for a term not to exceed 5

1 years, or both.

2 Section 3. Codification instruction. Sections 1 and 2  
3 are intended to be codified as an integral part of Title 45  
4 and the provisions of Title 45 apply to sections 1 and 2.

-End-



APPROVED BY COMMITTEE  
ON JUDICIARY

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18 person commits the offense of harming a police dog if he  
19 purposely or knowingly disables, shoots, OR kills~~7--or~~  
20 ~~otherwise-injures-by-any-means~~ a police dog being used by a  
21 law enforcement officer in discharging or attempting to  
22 discharge any legal duty or power of his office.

23 (2) A person convicted of the offense of harming a  
24 police dog may be fined an amount not to exceed ~~\$107000~~  
25 \$5,000 or be imprisoned in the state prison for a term not

1 to exceed 5 3 years, or both.

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-End-

SECOND READING



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THIRD READING



SENATE

STANDING COMMITTEE REPORT

March 28 19 85

MR. PRESIDENT

JUDICIARY

We, your committee on.....

HOUSE BILL

837

having had under consideration..... No.....

third reading copy ( blue color )

(Senator Brown)

PROVIDES FOR THE OFFENSE OF HARMING A POLICE DOG AND PRESCRIBES PENALTIES

HOUSE BILL

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Respectfully report as follows: That..... No.....

be amended as follows:

1. Page 1, line 19.
Following: "knowingly"
Strike: "disables,"
Following: "shoots"
Strike: ",,"

2. Page 1, line 22.
Following: "duty"
Strike: "or power of his office"
Insert: "in a reasonable and proper manner"

3. Page 2, line 1.
Following: "5"
Strike: "3 years"
Insert: "1 year"

AND AS AMENDED

BE CONCURRED IN

XXXXXX

DO NOT PASS

Senator Joe Mazurek Chairman.

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 22 discharge any legal duty ~~or--power--of--his--office~~ IN A  
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