SENATE BILL NO. 132

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INTRODUCED BY HALLIGAN

IN THE SENATE

January 18, 1985	Introduced and referred to Committee on Judiciary.
January 28, 1985	Committee recommend bill do pass as amended. Report adopted.
January 29, 1985	Bill printed and placed on members' desks.
January 30, 1985	Second reading, do pass.
January 31, 1985	Considered correctly engrossed.
February 1, 1985	Third reading, passed. Ayes, 49; Noes, 0.
	Transmitted to House.
IN THE H	IOUSE
February 27, 1985	Introduced and referred to Committee on Judiciary.
March 12, 1985	Committee recommend bill be concurred in. Report adopted.
March 14, 1985	Second reading, concurred in.
March 16, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

March 16, 1985

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March 18, 1985

Received from House. Sent to enrolling. Reported correctly enrolled.

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LC 0793/01

INTRODUCED BY Hallyan 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT DIVIDING AGGRAVATED 4 ASSAULT INTO FIRST- AND SECOND-DEGREE OFFENSES; AMENDING 5 SECTION 45-5-202, MCA." 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 45-5-202, MCA, is amended to read: 9 "45-5-202. Aggravated assault. (1) A person commits 10 the offense of aggravated assault in the first degree if he 11 12 purposely or knowingly causes: 13 fat serious bodily injury to another;. (2) A person commits the offense of aggravated assault 14 in the second degree if he purposely or knowingly causes: 15 16 tb;(a) bodily injury to another with a weapon; (c)(b) reasonable apprehension of serious bodily 17 injury in another by use of a weapon; or 18 19 {d+(c) bodily injury to a peace officer or a person 20 who is responsible for the care or custody of a prisoner. (2)(3) A person convicted of aggravated assault in the 21 22 first degree shall be imprisoned in the state prison for a 23 term of not less than 2 years or more than 20 years and may be fined not more than \$50,000, except as provided in 24 46-18-222. A person convicted of aggravated assault in the 25

Montana Legislative Counce

- 1 second degree shall be imprisoned in the state prison for a
- 2 term not to exceed 10 years or be fined not more than
- 3 <u>\$50,000, or both.</u>"

-End-

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INTRODUCED BILL ちょノろえ 1

SB 0132/02

APPORIVED BY COMMITTEE ON JUDICIARY

1	SENATE BILL NO. 132				
2	INTRODUCED BY HALLIGAN				
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4	A BILL FOR AN ACT ENTITLED: "AN ACT DIVIDING AGGRAVATED				
5	ASSAULT INTO PERSTAND-SECOND-DEGREB-OPPENSES AGGRAVATED				
6	AND FELONY ASSAULT; AMENDING SECTION 45-5-202, MCA."				
7					
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:				
9	Section 1. Section 45-5-202, MCA, is amended to read:				
10	<pre>"45-5-202. Aggravated assault. (1) A person commits</pre>				
11	the offense of aggravated assault <u>in-the-first-degree</u> if he				
12	purposely or knowingly causes:				
13	tet serious bodily injury to another 7 .				
14	(2) A person commits the offense of aggravated FELONY				
15	assault in-the-second-degree if he purposely or knowingly				
16	causes:				
17	(b)(a) bodily injury to another with a weapon;				
18	<pre>(c)(b) reasonable apprehension of serious bodily</pre>				
19	injury in another by use of a weapon; or				
20	<pre>td;(c) bodily injury to a peace officer or a person</pre>				
21	who is responsible for the care or custody of a prisoner.				
22	$\frac{1}{2}$ A person convicted of aggravated assault $\frac{1}{2}$				
23	firstdegree shall be imprisoned in the state prison for a				
24	term of not less than 2 years or more than 20 years and may				
25	be fined not more than \$50,000, except as provided in				



1 46-18-222. A person convicted of aggravated FELONY assault

- 2 <u>in-the-second-degree</u> shall be imprisoned in the state prison
- 3 for a term not to exceed 10 years or be fined not more than

\$50,000, or both."

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-End-

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SECOND READING

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SB 0132/02

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1	SENATE BILL NO. 132	1	46-18-222. A person convicted of aggravated FELONY assault
2	INTRODUCED BY HALLIGAN	2	in-the-second-degree shall be imprisoned in the state prison
3		3	for a term not to exceed 10 years or be fined not more than
4	A BILL FOR AN ACT ENTITLED: "AN ACT DIVIDING AGGRAVATED	4	\$50,000, or both."
5	ASSAULT INTO PIRSTAND-SBCOND-DEGREE-OPPENSES AGGRAVATED		-End-
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15	assault in-the-second-degree if he purposely or knowingly		
16	Causes :		
17	<pre>fb;(a) bodily injury to another with a weapon;</pre>		
18	<pre>(c)(b) reasonable apprehension of serious bodily</pre>		
19	injury in another by use of a weapon; or		
20	<pre>fd;(c) bodily injury to a peace officer or a person</pre>		
21	who is responsible for the care or custody of a prisoner.		
22	$\frac{12}{(3)}$ A person convicted of aggravated assault in-the		
23	firstdegree shall be imprisoned in the state prison for a		
24	term of not less than 2 years or more than 20 years and may	•	
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THIRD READING

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SB 132

1	SENATE BILL NO. 132	1	46-18-222. A person convicted of aggravated FELONY assault
2	INTRODUCED BY HALLIGAN	2	in-the-second-degree shall be imprisoned in the state prison
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4	A BILL FOR AN ACT ENTITLED: "AN ACT DIVIDING AGGRAVATED	4	\$50,000, or both."
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-	AND FELONY ASSAULT; AMENDING SECTION 45-5-202, MCA."		
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24	term of not less than 2 years or more than 20 years and may		
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