

SENATE BILL NO. 254

1/25 Introduced
1/26 Referred to Public Health, Welfare & Safety
1/28 Fiscal Note Requested
2/02 Fiscal Note Received
2/06 Hearing
2/12 Committee Report-Bill Pass As Amended
2/15 2nd Reading Pass
2/18 3rd Reading Pass

Transmitted to House

2/27 Referred to Human Services & Aging
3/08 Hearing
3/12 Adverse Committee Report
3/13 Bill Killed

1 Senate BILL NO. 254
 2 INTRODUCED BY Col. Nathan NATHAN
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING FINES IMPOSED
 5 FOR UNLAWFUL TRANSACTIONS WITH CHILDREN TO BE USED TO FUND
 6 ALCOHOL AND DRUG ABUSE PROGRAMS FOR PERSONS UNDER THE LEGAL
 7 DRINKING AGE; AMENDING SECTIONS 3-10-603, 45-5-623,
 8 46-17-303, AND 46-18-603, MCA."
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 3-10-603, MCA, is amended to read:

12 "3-10-603. Costs in criminal actions. (1) The
 13 following court costs shall be withheld by justices of the
 14 peace from accumulated fines, except fines imposed under
 15 45-5-623, and forfeitures in applicable criminal actions:

- 16 (a) for each action filed, \$7.50;
- 17 (b) for each preliminary hearing held, an additional
 18 \$7.50;
- 19 (c) where there is a trial, an additional \$7.50.

20 (2) The costs listed in subsection (1) shall be
 21 withheld regardless of the court's finding or the sentence
 22 imposed.

23 (3) Justices of the peace shall remit to the county
 24 treasurer the fees as set forth in subsection (1)."

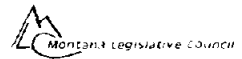
25 Section 2. Section 45-5-623, MCA, is amended to read:

1 "45-5-623. Unlawful transactions with children. (1) A
 2 person commits the offense of unlawful transactions with
 3 children if he knowingly:

- 4 (a) sells or gives explosives to a child under the age
 5 of majority except as authorized under appropriate city
 6 ordinances;
- 7 (b) sells or gives intoxicating substances other than
 8 alcoholic beverages to a child under the age of majority;
- 9 (c) sells or gives alcoholic beverages to a person
 10 under 19 years of age; or
- 11 (d) being a junk dealer, pawnbroker, or secondhand
 12 dealer, receives or purchases goods from a child under the
 13 age of majority without authorization of the parent or
 14 guardian.

15 (2) A person convicted of the offense of unlawful
 16 transactions with children shall be fined not to exceed \$500
 17 or be imprisoned in the county jail for any term not to
 18 exceed 6 months, or both. A person convicted of a second
 19 offense of unlawful transactions with children shall be
 20 fined not to exceed \$1,000 or be imprisoned in the county
 21 jail for any term not to exceed 6 months, or both.

22 (3) Fines collected in any court for violations of
 23 this section must be deposited in the treasury of the county
 24 in which the court is located. The county treasurer shall
 25 hold the money in a separate account. The money in the



1 account is allocated to the county commissioners, who may
 2 withdraw and use the money to fund one or more county or
 3 municipal government programs relating to education and
 4 counseling regarding the prevention and treatment of alcohol
 5 and drug abuse by persons under the legal alcohol
 6 consumption age."

7 Section 3. Section 46-17-303, MCA, is amended to read:

8 "46-17-303. Deposit of fines. All fines imposed and
 9 collected by a justice's or city court, except fines imposed
 10 under 45-5-623, must be paid to the treasurer of the county,
 11 city, or town, as the case may be, within 30 days after the
 12 receipt of the same. The justice or city judge must take
 13 duplicate receipts therefor, one of which he must deposit
 14 with the county, city, or town clerk, as the case may be."

15 Section 4. Section 46-18-603, MCA, is amended to read:

16 "46-18-603. Disposition of fines and forfeitures. All
 17 fines and forfeitures collected in any court except city
 18 courts, except fines imposed under 45-5-623, must be applied
 19 to the payment of the costs of the case in which the fine is
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1 treasurer a complete statement showing the total of the fine
 2 or forfeiture received or incurred with an itemized
 3 statement of the costs incurred by the county in such
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-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN 255-85

Form BD-15

In compliance with a written request received January 28, 19 85, there is hereby submitted a Fiscal Note for Senate Bill 254 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

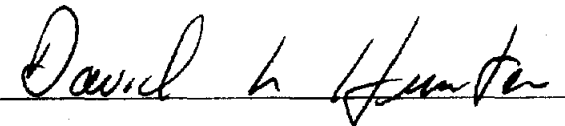
Senate Bill 254 is an act requiring fines imposed for unlawful transactions with children to be used to fund alcohol and drug abuse programs for persons under the legal drinking age.

FISCAL IMPACT:

There have been no convictions under 45-5-623, 46-17-303, and 46-18-603, MCA, in the last year, so the projected revenue generated or fiscal impact are unknown.

LOCAL IMPACT:

No significant local impact.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 2, 1985

SB 254

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

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