## HOUSE BILL NO. 65

INTRODUCED BY PECK

JANUARY 5, 1987

JANUARY 13, 1987

JANUARY 14, 1987
JANUARY 15, 1987
JANUARY 16, 1987

JANUARY 21, 1987

MARCH 5, 1987

MARCH 9, 1987
MARCH 11, 1987

MARCH 12, 1987

IN THE HOUSE
INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS \& TRANSPORTATION.

COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

PRINTING REPORT.
SECOND READING, DO PASS.
ENGROSSING REPORT.
THIRD READING, PASSED. AYES, 93; NOES, 2.

TRANSMITTED TO SENATE.
IN THE SENATE
INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.
THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.

RETURNED TO HOUSE.
IN THE HOUSE
RECEIVED FROM SENATE.
SENT TO ENROLLING.

$\qquad$
BILL NO.
$\qquad$ INTRODUCED BY PECK PECK
A BILL FOR AN ACT ENTITLED: "AN ACT COMPUTING TIME OF OFFENDERS SERVING OUT TRAFFIC FINES AT $\$ 10$ A DAY; AND AMENDING SECTION 61-8-711, MCA." be It enacted by the legislature of the state of montana: Section 1. Section 61-8-711, MCA, is amended to read: "61-8-711. Violation of chapter -- penalty. (1) It is a misdemeanor for any person to violate any of the provisions of this chapter unless the violation is declared to be a felony by this chapter or other law of this state.
(2) Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall for a first conviction thereof be punished by a fine of not less than $\$ 10$ or more than $\$ 100$ or by imprisonment for not more than 10 days. For a second conviction within 1 year thereafter, the person shall be punished by a fine of not less than $\$ 25$ or more than $\$ 200$ or by imprisonment for not more than 20 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, the person shall be punished by a fine of not less than $\$ 50$ or more than $\$ 500$ or by imprisonment for not more than 6 months
or by both such fine and imprisonment.
(3) On failure of payment of a fine, the offender in case of a misdemeanor shall be imprisoned in the county jail in the county in which the offense was committed, and the imprisonment shall be computed upon the basis of one day's incarceration for each $\$ \mathbf{\$} \$ 10$ of the $f i n e$.
(4) Upon conviction, the court costs or any part thereof may be assessed against the defendant in the discretion of the court."

## -End-

-2- INTRODUCED BILL $H B-65$

| 50th Legislature LC 0590/01 |  |
| :---: | :---: |
|  | APPROVED BY COMMITTEE ON HIGHWAYS \& TRANSPORTATIO |
| 1 | HOUSE BILL NO. 65 |
| 2 | INTRODUCED BY PECX |
| 3 |  |
| 4 | A BILL FOR AN ACT ENTITLED: "AN ACT COMPUTING TIME OF |
| 5 | OFFENDERS SERVING OUT TRAFFIC FINES AT $\$ 10$ A DAY; AND |
| 6 | AMENDING SECTION 61-8-711, MCA." |
| 7 |  |
| 8 be it enacted by the legislature of the state of montana: |  |
| 9 Section 1. Section 61-8-711, MCA, is amended to read: |  |
| 10 "61-8-711. Violation of chapter -- penalty. (1) It is |  |
| 11 | a misdemeanor for any person to violate any of the |
| 12 provisions of this chapter unless the violation is declared |  |
| 13 |  |
| 14 |  |
| 15 violation of any of the provisions of this chapter for which |  |
| 16 another penalty is not provided shall for a first conviction |  |
| 17 thereof be punished by a fine of not less than $\$ 10$ or more |  |
| 18 than $\$ 100$ or by imprisonment for not more than 10 days. For |  |
| 19 a second conviction within 1 year thereafter, the person |  |
| 20 Shall be punished by a fine of not less than \$25 or more |  |
| 21 than \$200 or by imprisonment for not more than 20 days or by |  |
| 22 both such fine and imprisonment. Upon a third or subsequent |  |
| 23 conviction within 1 year after the first conviction, the |  |
| 24 | person shall be punished by a fine of not less than $\$ 50$ or |
| 25 | more than $\$ 500$ or by imprisomment for not more than 6 months |

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or by both such fine and imprisonment.
(3) On failure of payment of a fine, the offender in case of a misdemeanor shall be imprisoned in the county jail in the county in which the offense was comoitted, and the imprisonment shall be computed upon the basis of one day's incarceration for each \(\mathfrak{q z} \$ 10\) of the fine.
(4) Upon conviction, the court costs or any part thereof may be assessed against the defendant in the discretion of the court."
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HOUSE
BILL NO.
$\qquad$
INTRODUCED BY PECK
A BILL FOR AN ACT ENTITLED: "AN ACT COMPUTING TIME OF OFFENDERS SERVING OUT TRAFFIC FINES AT $\$ 10$ A DAY; AND AMENDING SECTION 61-B-711, MCA."
be it enacted by the legislature of the state of montana:
Section 1. Section 61-8-711, MCA, is amended to read:
"61-8-71I. Violation of chapter -- penalty. (1) It is a misdemeanor for any person to violate any of the provisions of this chapter unless the violation is declared to be a felony by this chapter or other law of this state.
(2) Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall for a first conviction thereof be punished by a fine of not less than $\$ 10$ or more than $\$ 100$ or by imprisonment for not more than 10 days. For a second conviction within $l$ year thereafter, the person shall be punished by a fine of not less than $\$ 25$ or more than $\$ 200$ or by imprisonment for not more than 20 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, the person shall be punished by a fine of not less than $\$ 50$ or more than $\$ 500$ or by imprisoment for not more than 6 months

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or by both such fine and imprisonment.
            (3) On failure of payment of a fine, the offender in
case of a misdemeanor shall be imprisoned in the county jail
in the county in which the offense was committed, and the
imprisonment shall be computed upon the basis of one day's
incarceration for each $z $10 of the fine.
    (4) Upon conviction, the court costs or any part
thereof may be assessed against the defendant in the
discretion of the court."
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-End-

## HOUSE BILL NO. 65

INTRODUCED By PECK

A BILL FOR AN ACT ENTITLED: "AN ACT COMPUTING TIME OF OFFENDERS SERVING OUT TRAFFIC FINES AT $\$ 10$ A DAY; AND AMENDING SECTION 61-8-711, MCA."
be it enacted by the legislature of the state of mont'ana:
Section 1. Section 6l-8-711, MCA, is amended to read:
"61-8-711. Violation of chapter -- penalty. (1) It is
a misdemeanor for any person to violate any of the provisions of this chapter unless the violation is declared to be a felony by this chapter or other law of this state.
(2) Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall for a first conviction thereof be punished by a fine of not less than $\$ 10$ or more than $\$ 100$ or by imprisonment for not more than 10 days. For a second conviction within 1 year thereafter, the person shall be punished by a fine of not less than $\$ 25$ or more than $\$ 200$ or by imprisonment for not more than 20 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, the person shall be punished by a fine of not less than $\$ 50$ or more than $\$ 500$ or by imprisonment for not more than 6 months
or by both such fine and imprisonment.
(3) On failure of payment of a fine, the offender in case of a misdemeanor shall be imprisoned in the county jail in the county in which the offense was committed, and the imprisonment shall be computed upon the basis of one day's incarceration for each $\$ z$ \$lo of the fine.
(4) Upon conviction, the court costs or any part thereof may be assessed against the defendant in the discretion of the court."
-End-
-2-

