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House BILL NO. 430
Bernard Harry Cobb Adley
MERCER

INTRODUCED BY
A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING PENALTIES THAT MAY BE IMPOSED FOR DELIBERATE HOMICIDE; AND AMENDING SECTION 45-5-102, MCA."

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

Section 1. Section 45-5-102, MCA, is amended to read:

"45-5-102. Deliberate homicide. (1) Except as provided in 45-5-103(1), criminal homicide constitutes deliberate homicide if:

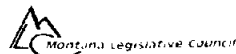
(a) it is committed purposely or knowingly; or

(b) it is committed while the offender is engaged in or is an accomplice in the commission of, an attempt to commit, or flight after committing or attempting to commit robbery, sexual intercourse without consent, arson, burglary, kidnapping, felonious escape, or any other felony which involves the use or threat of physical force or violence against any individual.

(2) A person convicted of the offense of deliberate homicide shall be punished by death ~~or life imprisonment~~ as provided in 46-18-301 through 46-18-310, by life imprisonment, or by imprisonment in the state prison for a term of not less than 10 years or more than 100 years,

1 except as provided in 46-18-222."

-End-



INTRODUCED BILL
HB 430

APPROVED BY COMMITTEE
ON JUDICIARY

1 House BILL NO. 430
2 INTRODUCED BY Danielis Harp Bob Adley
3 MERCER

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-End-

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1 *House* BILL NO. *430*
 2 INTRODUCED BY *Bernadine HARRP* *Libb* *Adley*
 3 *MERCER*

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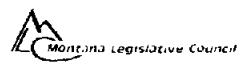
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-2- THIRD READING
 HB-430

