

HOUSE BILL NO. 482

INTRODUCED BY SCHYE, SPAETH, HAMMOND, B. WILLIAMS,
E. SMITH, J. ANDERSON

IN THE HOUSE

JANUARY 27, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

FEBRUARY 21, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 23, 1987 PRINTING REPORT.

FEBRUARY 24, 1987 SECOND READING, DO PASS.

ON MOTION, RULES SUSPENDED AND BILL
PLACED ON THIRD READING THIS DAY.

THIRD READING, PASSED.
AYES, 99; NOES, 0.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

MARCH 26, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 30, 1987 SECOND READING, CONCURRED IN.

ON MOTION, RULES SUSPENDED AND BILL
PLACED ON THIRD READING THIS DAY.

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

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 31, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

1 House BILL NO. 482
 2 INTRODUCED BY Steve Spaeth Hammond
 3 Montana State University

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A
 5 JUSTICE COURT MAY BE DESIGNATED AS A CITY COURT; PROVIDING
 6 FOR FUNDING OF SUCH A CITY COURT; PROVIDING FOR AGREEMENT BY
 7 THE JUSTICE COURT OF SUCH DESIGNATION; AMENDING SECTION
 8 3-11-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
 9

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

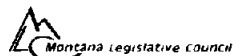
11 Section 1. Section 3-11-205, MCA, is amended to read:

12 "3-11-205. Justice ~~of--the--peace court~~ as city judge
 13 ~~court.~~ (1) In a town, the council may designate a justice of
 14 ~~the-peace court~~ of the county in which the town is situated
 15 to act as city judge ~~court~~ and may by ordinance fix the
 16 ~~compensation-for-his-services funding for such court.~~ The
 17 ~~justice of--the--peace--so--designated--who-agrees-to court~~
 18 ~~shall, upon its agreement to the designation,~~ act in that
 19 capacity ~~and shall act--as be the city judge court~~ in all
 20 cases arising out of violations of ordinances in which the
 21 town is a party. ~~If-the-justice-of-the-peace-must-travel~~
 22 ~~from-his-place-of-residence-to-hold-court, he shall be--paid~~
 23 ~~his--actual--and--necessary--travel-expenses, as-defined-and~~
 24 ~~provided-in-2-10-501-through-2-10-503, by the town in--which~~
 25 ~~the-court-is-held.~~

1 (2) The offices of city judge and justice of the peace
 2 may be combined if a justice of the peace is authorized in a
 3 city pursuant to 3-10-101."

4 NEW SECTION. Section 2. Effective date. This act is
 5 effective on passage and approval.

-End-



APPROVED BY COMMITTEE
ON JUDICIARY

HOUSE BILL NO. 482

INTRODUCED BY SCHYE, SPAETH, HAMMOND, B. WILLIAMS,

E. SMITH, J. ANDERSON

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A JUSTICE COURT MAY BE DESIGNATED AS A CITY COURT; PROVIDING FOR FUNDING OF SUCH A CITY COURT; PROVIDING FOR AGREEMENT BY THE JUSTICE COURT OF SUCH DESIGNATION; AMENDING SECTION 3-11-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 3-11-205, MCA, is amended to read:

"3-11-205. Justice of--the--peace court as city judge court. (1) In a town OR THIRD-CLASS CITY, the council may designate a justice of--the--peace court of the county in which the town OR CITY is situated to act as city judge court and may by ordinance fix the compensation-for-his services funding for such court AND ENTER INTO AN AGREEMENT WITH THE COUNTY FOR PROPORTIONATE PAYMENT OF SALARIES AND TRAINING EXPENSES. The justice of-the-peace--so--designated who--agrees--to court shall, upon its agreement to the designation AND APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS, act in that capacity and shall act-as be the city judge court in all cases arising out of violations of STATUTES OR ordinances in-which-the-town-is-a-party. if-the

~~justice-of-the-peace-must-travel-from-his-place-of-residence to--hold--court,--he--shall-be-paid-his-actual-and-necessary travel-expenses,--as-defined-and-provided-in-2-18-501-through 2-18-503,--by-the-town-in-which-the-court--is--held. IF THE JUSTICE OF THE PEACE MUST TRAVEL FROM HIS PLACE OF RESIDENCE TO HOLD COURT, HE SHALL BE PAID HIS ACTUAL AND NECESSARY TRAVEL EXPENSES, AS DEFINED AND PROVIDED IN 2-18-501 THROUGH 2-18-503, BY THE TOWN OR CITY IN WHICH THE COURT IS HELD.~~

(2) The offices of city judge and justice of the peace may be combined if a justice of the peace is authorized in a city pursuant to 3-10-101."

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

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16 which the town OR CITY is situated to act as city judge
17 court and may by ordinance fix the ~~compensation-for-his~~
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1 ~~justice-of-the-peace-must-travel-from-his-place-of-residence~~
2 ~~to--hold--court;--he--shall-be-paid-his-actual-and-necessary~~
3 ~~travel-expenses;--as-defined-and-provided-in-2-18-501-through~~
4 ~~2-18-503;--by-the-town-in-which-the-court--is--held; IF THE~~
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7 TRAVEL EXPENSES, AS DEFINED AND PROVIDED IN 2-18-501 THROUGH
8 2-18-503, BY THE TOWN OR CITY IN WHICH THE COURT IS HELD.

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