

IN THE HOUSE

MARCH 31, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

1 *House* BILL NO. *590*
 2 INTRODUCED BY *Angela Walker O'Connell Kelly*
 3 *Meyer Spiering Phelan Djansezian Carter Pistoria*
 4 *Orly Wilet* A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND THE CRIME OF *Miles*
 5 *Richard Manning* POSSESSION OF A DEADLY WEAPON BY A PRISONER TO PRISONERS IN
 6 COUNTY, CITY, OR REGIONAL JAILS; AND AMENDING SECTION *Dutton*
 7 45-8-318, MCA." *Bryce Mann*
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 45-8-318, MCA, is amended to read:
 11 "45-8-318. Possession of deadly weapon by prisoner.
 12 (1) Every prisoner committed to the Montana state prison or
 13 incarcerated in a county jail, city jail, or regional jail
 14 who, while at such the state prison or a jail, while being
 15 conveyed to or from the Montana state prison or a jail,
 16 while at a state prison farm or ranch, while being conveyed
 17 to or from any such place, or while under the custody of
 18 prison or jail officials, officers, or employees, purposely
 19 or knowingly possesses or carries upon his person or has
 20 under his custody or control without lawful authority a
 21 dirk, dagger, pistol, revolver, slingshot, sword cane,
 22 billy, knuckles made of any metal or hard substance, knife,
 23 razor not including a safety razor, or other deadly weapon
 24 is guilty of a felony.
 25 (2) He shall be punished by imprisonment in the state

1 prison for a term not less than 5 years or more than 15
 2 years, such term of imprisonment to commence from the time
 3 he would otherwise have been released from said jail or
 4 prison, or shall be punished by a fine of not more than
 5 \$50,000, or by both such fine and imprisonment."

-End-



-2- INTRODUCED BILL
 HB-590

APPROVED BY COMMITTEE
ON JUDICIARY

House BILL NO. 590

1 INTRODUCED BY *Angela Walker* *D'Connell* *Ad*
2 *Meyer* *Spicer* *Chelso* *Dizonato* *Robert* *Pistoria*
3 *Orby* *Willet*
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND THE CRIME OF
5 POSSESSION OF A DEADLY WEAPON BY A PRISONER TO PRISONERS IN
6 COUNTY, CITY, OR REGIONAL JAILS; AND AMENDING SECTION
7 45-8-318, MCA."
8 *Richard* *Maunberg* *Bill* *Dir* *Bulger* *Maun*

1 prison for a term not less than 5 years or more than 15
2 years, such term of imprisonment to commence from the time
3 he would otherwise have been released from said jail or
4 prison, or shall be punished by a fine of not more than
5 \$50,000, or by both such fine and imprisonment."

-End-

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 45-8-318, MCA, is amended to read:
11 "45-8-318. Possession of deadly weapon by prisoner.
12 (1) Every prisoner committed to the Montana state prison or
13 incarcerated in a county jail, city jail, or regional jail
14 who, while at such the state prison or a jail, while being
15 conveyed to or from the Montana state prison or a jail,
16 while at a state prison farm or ranch, while being conveyed
17 to or from any such place, or while under the custody of
18 prison or jail officials, officers, or employees, purposely
19 or knowingly possesses or carries upon his person or has
20 under his custody or control without lawful authority a
21 dirk, dagger, pistol, revolver, slingshot, sword cane,
22 billy, knuckles made of any metal or hard substance, knife,
23 razor not including a safety razor, or other deadly weapon
24 is guilty of a felony.
25 (2) He shall be punished by imprisonment in the state



1 *House* BILL NO. *590*
 2 INTRODUCED BY *Archie C. Walker* *O'Connell*
 3 *Meyer* *Spicer* *Phelps* *Diamond* *Robert Pistoria*
 4 *Orly* *Wickert*
 5 *Richard E. Manning*
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND THE CRIME OF *kill*
 7 POSSESSION OF A DEADLY WEAPON BY A PRISONER TO PRISONERS IN
 8 COUNTY, CITY, OR REGIONAL JAILS; AND AMENDING SECTION *Same*
 9 45-8-318, MCA." *Buzy* *Wren*

1 prison for a term not less than 5 years or more than 15
 2 years, such term of imprisonment to commence from the time
 3 he would otherwise have been released from said jail or
 4 prison, or shall be punished by a fine of not more than
 5 \$50,000, or by both such fine and imprisonment."

-End-

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 45-8-318, MCA, is amended to read:
 11 "45-8-318. Possession of deadly weapon by prisoner.
 12 (1) Every prisoner committed to the Montana state prison or
 13 incarcerated in a county jail, city jail, or regional jail
 14 who, while at such the state prison or a jail, while being
 15 conveyed to or from the Montana state prison or a jail,
 16 while at a state prison farm or ranch, while being conveyed
 17 to or from any such place, or while under the custody of
 18 prison or jail officials, officers, or employees, purposely
 19 or knowingly possesses or carries upon his person or has
 20 under his custody or control without lawful authority a
 21 dirk, dagger, pistol, revolver, slingshot, sword cane,
 22 billy, knuckles made of any metal or hard substance, knife,
 23 razor not including a safety razor, or other deadly weapon
 24 is guilty of a felony.
 25 (2) He shall be punished by imprisonment in the state



-2- THIRD READING
 HB-590

HOUSE BILL NO. 590

INTRODUCED BY STRIZICH, WALKER, O'CONNELL, ADDY, MEYER,
CODY, SQUIRES, NISBET, PHILLIPS, GIACOMETTO, POULSEN,
PISTORIA, MANNING, MILES, HARPER, DEMARS, MANUEL, BULGER

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND THE CRIME OF
POSSESSION OF A DEADLY WEAPON BY A PRISONER TO PRISONERS IN
COUNTY, CITY, OR REGIONAL JAILS; AND AMENDING SECTION
45-8-318, MCA."

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

Section 1. Section 45-8-318, MCA, is amended to read:

"45-8-318. Possession of deadly weapon by prisoner.

(1) Every prisoner committed to the Montana state prison or
incarcerated in a county jail, city jail, or regional jail
who, while at such the state prison or a jail, while being
conveyed to or from the Montana state prison or a jail,
while at a state prison farm or ranch, while being conveyed
to or from any such place, or while under the custody of
prison or jail officials, officers, or employees, purposely
or knowingly possesses or carries upon his person or has
under his custody or control without lawful authority a
dirk, dagger, pistol, revolver, slingshot, sword cane,
billy, knuckles made of any metal or hard substance, knife,
razor not including a safety razor, or other deadly weapon

is guilty of a felony.

(2) He shall be punished by imprisonment in the state
prison for a term not less than 5 years or more than 15
years, such term of imprisonment to commence from the time
he would otherwise have been released from said jail or
prison, or shall be punished by a fine of not more than
\$50,000, or by both such fine and imprisonment."

-End-

