

SB 106 INTRODUCED BY HALLIGAN  
REQUIRING GROSS VEHICLE WEIGHT ENFORCEMENT OFFICERS  
TO CARRY FIREARMS

1/14 INTRODUCED  
1/14 REFERRED TO JUDICIARY  
1/14 REREFERRED TO HIGHWAYS & TRANSPORTATION  
1/14 FISCAL NOTE REQUESTED  
1/21 FISCAL NOTE RECEIVED  
1/29 HEARING  
2/18 ADVERSE COMMITTEE REPORT ADOPTED 40 10

1 INTRODUCED BY Senate BILL NO. 106  
2 Hallygan

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING GROSS VEHICLE  
5 WEIGHT ENFORCEMENT OFFICERS TO CARRY FIREARMS PROVIDED BY  
6 THE DEPARTMENT OF HIGHWAYS; AMENDING SECTIONS 61-12-203 AND  
7 61-12-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE  
8 FOR RULEMAKING AUTHORITY ONLY."  
9

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

11 Section 1. Section 61-12-203, MCA, is amended to read:

12 "61-12-203. Official attire required for making  
13 arrests ~~and-carrying-firearms~~. Qualified employees may make  
14 arrests throughout the state only when dressed in official  
15 uniform and displaying the official badge authorized by the  
16 department. ~~Authorized--employees--may--not--carry-firearms~~  
17 ~~unless-officially-attired:-"~~

18 Section 2. Section 61-12-204, MCA, is amended to read:

19 "61-12-204. Identification badge and uniform.  
20 Employees of the department engaged in the enforcement of  
21 this part shall wear and prominently display an  
22 identification badge or device with the employee's name and  
23 title shown on the identification badge or device. The  
24 department may shall authorize uniform dress for department  
25 employees engaged in such enforcement."

1 NEW SECTION. Section 3. Authorized employees to carry  
2 firearms. Employees appointed under 61-12-201, when attired  
3 and identified as required in 61-12-203 and 61-12-204 and  
4 when engaged in the enforcement of the provisions of the  
5 statutes enumerated in 61-12-206, shall carry firearms.

6 NEW SECTION. Section 4. Department of highways to  
7 furnish equipment. The department of highways shall furnish  
8 all employees appointed under 61-12-201 with uniforms and  
9 equipment necessary for the performance of their duties. Any  
10 such uniforms and equipment remain the property of the state  
11 of Montana.

12 NEW SECTION. Section 5. Department of highways to  
13 adopt rules. The department of highways shall adopt rules  
14 necessary for the implementation of [sections 3 and 4].

15 NEW SECTION. Section 6. Codification instruction.  
16 Sections 3 and 4 are intended to be codified as an integral  
17 part of Title 61, chapter 12, part 2, and the provisions of  
18 Title 61, chapter 12, part 2, apply to sections 3 and 4.

19 NEW SECTION. Section 7. Effective date. This section  
20 and section 5, which requires the department of highways to  
21 adopt rules on the subject of this act, are effective on  
22 passage and approval.

-End-



-2- INTRODUCED BILL  
SB-106

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB106, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

Requiring Gross Vehicle Weight Enforcement officers to carry firearms provided by the Department of Highways.

ASSUMPTIONS:

1. There are 95 GVW enforcement officers.
2. Officers would be trained initially, and recertified semi-annually.
3. The cost per officer will be \$304 for supplies including gun, glasses, holster, cleaning supplies and ear protectors.
4. Initial training costs (including per diem expenses) are estimated at \$18,315, with annual re-certification expenses estimated at \$6,650.

FISCAL IMPACT:Expenditures:

	<u>FY88</u>	<u>FY89</u>
Operating Costs	\$26,960	\$ 6,650
Equipment	<u>25,225</u>	<u>0</u>
Total Expenditures	\$52,185	\$ 6,650
Funding Source:		
Highway Special Revenue Account	\$52,185	\$ 6,650

Revenues:

N/A

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

N/A

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

*David L. Hunter* DATE 1/15/87

DAVID L. HUNTER, BUDGET DIRECTOR  
Office of Budget and Program Planning

*Mike Halligan* DATE 1-20-87

MIKE HALLIGAN, PRIMARY SPONSOR

Fiscal Note for SB106, as introduced.

SB-106