

SENATE BILL NO. 128

INTRODUCED BY GAGE

BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE SENATE

JANUARY 19, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

FEBRUARY 16, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 17, 1987 PRINTING REPORT.

FEBRUARY 18, 1987 SECOND READING, DO PASS.

FEBRUARY 19, 1987 ENGROSSING REPORT.

FEBRUARY 20, 1987 THIRD READING, PASSED.
AYES, 49; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

MARCH 13, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 16, 1987 SECOND READING, CONCURRED IN.

MARCH 17, 1987 THIRD READING, CONCURRED IN.
AYES, 93; NOES, 3.

RETURNED TO SENATE.

IN THE SENATE

MARCH 18, 1987 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

1 Senate BILL NO. 128
 2 INTRODUCED BY Daf
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE USES OF
 6 MONEY AND PROPERTY CREDITED TO THE SPECIAL LAW ENFORCEMENT
 7 ASSISTANCE ACCOUNT; AND AMENDING SECTION 44-13-103, MCA."
 8

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

10 Section 1. Section 44-13-103, MCA, is amended to read:

11 "44-13-103. Limitations on use of special law
 12 enforcement assistance account. ~~Money~~ (1) After property
 13 ~~and-proceeds-from-property is~~ credited to the account may-be
 14 ~~used--only--for--the--following--types--of--activities,~~ the
 15 attorney general may:

16 (a) transfer the property to any local or state law
 17 enforcement agency or other government entity to be used for
 18 law enforcement purposes;

19 (b) sell the property by public sale;

20 (c) destroy any illegal or controlled substances and
 21 sell or destroy raw materials, products, and equipment used
 22 or intended for use in manufacturing, compounding, or
 23 processing a controlled substance;

24 (d) compromise and pay claims against the property;
 25 and

1 (e) make any other disposition of the property
 2 authorized by law.

3 (2) Money and proceeds from property credited to the
 4 account may be used by the attorney general for:

5 (a) the payment of any expenses necessary to seize,
 6 detain, appraise, inventory, safeguard, maintain, advertise,
 7 or sell seized, detained, or forfeited property, including
 8 but not limited to payment for contract services and
 9 reimbursement to a federal, state, or local agency for its
 10 expenses;

11 (b) the payment of awards for information or
 12 assistance leading to a criminal proceeding or a civil
 13 forfeiture proceeding;

14 (c) the compromise and payment of claims against
 15 property;

16 (d) the payment of sums for law enforcement purposes,
 17 including but not limited to:

18 {1}(i) payment of informants;

19 {2}(ii) use by undercover agents to purchase unlawful
 20 substances, including, without limitation, counterfeit or
 21 real controlled substances, pornographic materials, stolen
 22 property, or other contraband;

23 {3}(iii) use by undercover agents as gambling front
 24 money by-undercover-agents; and

25 {4}(iv) payment of overtime to state or local law



1 enforcement officers when engaged in special
2 investigations;

3 (e) the payment of funds into the account created by
4 53-9-109; and

5 (f) matching federal grants for law enforcement
6 purposes.

7 (3) The attorney general shall give the legislature,
8 not later than 4 months after the end of each fiscal year, a
9 detailed written report of the amounts and property credited
10 to the account and of the disposition of money and property
11 credited to the account, but may not make any disclosure
12 that would compromise any investigation or prosecution."

-End-

APPROVED BY COMM. ON
FINANCE AND CLAIMS

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18 law-enforcement CRIMINAL INVESTIGATION purposes;

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