

HOUSE BILL NO. 59

INTRODUCED BY SPAETH

IN THE HOUSE

JANUARY 3, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
JANUARY 4, 1989	FIRST READING.
JANUARY 16, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 17, 1989	PRINTING REPORT.
JANUARY 18, 1989	SECOND READING, DO PASS.
JANUARY 19, 1989	ENGROSSING REPORT.
JANUARY 20, 1989	THIRD READING, PASSED. AYES, 89; NOES, 4.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
JANUARY 31, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 3, 1989	SECOND READING, CONCURRED IN.
FEBRUARY 6, 1989	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 7, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HB BILL NO. 59
2 INTRODUCED BY Spaith
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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
5 GIVING OF OFFICIAL CRIMINAL HISTORY RECORD INFORMATION ON AN
6 INDIVIDUAL TO THE STATE BAR IF THE BAR GIVES THE
7 INDIVIDUAL'S FINGERPRINTS TO THE OFFICIAL AGENCY HOLDING THE
8 INFORMATION; AND AMENDING SECTION 44-5-302, MCA."

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

11 **Section 1.** Section 44-5-302, MCA, is amended to read:
12 **"44-5-302. Dissemination of criminal history record**
13 **information that is not public criminal justice information.**
14 **(1)** Criminal history record information may not be
15 disseminated to agencies other than criminal justice
16 agencies unless:

17 **(1)(a)** the information is disseminated with the
18 consent or at the request of the individual about whom it
19 relates according to procedures specified in 44-5-214 and
20 44-5-215;

21 **(2)(b)** a district court considers dissemination
22 necessary;

23 **(3)(c)** the information is disseminated in compliance
24 with 44-5-304; or

25 **(4)(d)** the agency receiving the information is

1 authorized by law to receive it.

2 (2) The department of justice and other criminal
3 justice agencies may accept fingerprints of applicants for
4 admission to the state bar of Montana. To the extent
5 provided by federal law, the department or agency shall,
6 with respect to a bar admission applicant whose fingerprints
7 are given to the department or agency by the state bar,
8 exchange available state, multistate, local, federal, and
9 other criminal history record information with the state bar
10 for licensing purposes."

11 **Section 2. Extension of authority.** Any existing
12 authority to make rules on the subject of the provisions of
13 [this act] is extended to the provisions of [this act].

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

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9 EXTENT ALLOWED BY FEDERAL LAW), and other criminal history
10 record information with the state bar for licensing
11 purposes."
12 **NEW SECTION. Section 2.** Extension of authority. Any
13 existing authority to make rules on the subject of the
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