

HOUSE BILL NO. 598
INTRODUCED BY STRIZICH
BY REQUEST OF THE BOARD OF CRIME CONTROL

IN THE HOUSE

FEBRUARY 7, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 8, 1989	FIRST READING.
FEBRUARY 16, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 17, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 91; NOES, 4.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 13, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 14, 1989	SECOND READING, CONCURRED IN.
MARCH 16, 1989	THIRD READING, CONCURRED IN. AYES, 46; NOES, 2.
	RETURNED TO HOUSE.

MARCH 17, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 598
2 INTRODUCED BY [Signature]
3 BY REQUEST OF THE BOARD OF CRIME CONTROL
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE BOARD OF
6 CRIME CONTROL TO PROVIDE TECHNICAL ASSISTANCE AND SUPPORTIVE
7 SERVICES TO CRIMINAL JUSTICE AGENCIES; AUTHORIZING THE BOARD
8 TO ESTABLISH MINIMUM STANDARDS FOR EMPLOYMENT OF DETENTION
9 OFFICERS AND DETENTION CENTER ADMINISTRATORS AND STANDARDS
10 FOR DETENTION OFFICER TRAINING SCHOOLS; AND AMENDING SECTION
11 44-4-301, MCA."
12

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

14 **Section 1.** Section 44-4-301, MCA, is amended to read:

15 "44-4-301. Functions. (1) As designated by the
16 governor as the state planning agency under the Omnibus
17 Crime Control and Safe Streets Act of 1968, as amended, the
18 board of crime control shall perform the functions assigned
19 to it under that act. The board shall also provide to
20 criminal justice agencies technical assistance and
21 supportive services that are approved by the board or
22 assigned by the governor or legislature.

23 (2) The board shall have the authority to establish
24 minimum qualifying standards for employment of peace
25 officers ~~whose primary responsibility as authorized by law~~

1 ~~includes either the prevention and detection of crime or~~
2 ~~supervision of the enforcement of the penal, traffic, or~~
3 ~~fish and game laws of this state and its political~~
4 ~~subdivisions, as defined in 7-32-303, detention officers,~~
5 ~~and detention center administrators.~~

6 (3) The board shall have the authority to require
7 basic training for such officers, establish minimum
8 standards for equipment and procedures and for advanced
9 in-service training for such officers, and establish minimum
10 standards for any law enforcement and detention officer
11 training schools administered by the state or any of its
12 political subdivisions or agencies, to insure the public
13 health, welfare, and safety.

14 (4) The board may waive the minimum qualification
15 standard for good cause shown."

16 NEW SECTION. Section 2. Definitions. As used in
17 44-4-301 and this section, the following definitions apply:

18 (1) "Detention center" means a facility established
19 and maintained by an appropriate entity for the purpose of
20 confining arrested persons or persons sentenced to a
21 detention center.

22 (2) "Detention center administrator" means the
23 sheriff, chief of police, administrator, superintendent,
24 director, or other individual serving as the chief executive
25 officer of a detention center or temporary detention center.

1 (3) "Detention officer" means a person or a peace
2 officer who has full-time or part-time authority and
3 responsibility for maintaining custody of inmates and who
4 performs tasks related to the operation of a detention
5 center or temporary detention center.

6 (4) "Temporary detention center" means a facility for
7 the temporary detention of an arrested person for up to 72
8 hours, excluding holidays, Saturdays, and Sundays. The
9 period of time a person is held in temporary detention may
10 not exceed 96 hours.

11 NEW SECTION. **Section 3.** Codification instruction.
12 [Section 2] is intended to be codified as an integral part
13 of Title 44, chapter 4, part 3, and the provisions of Title
14 44, chapter 4, part 3, apply to [section 2].

15 NEW SECTION. **Section 4.** Extension of authority. Any
16 existing authority to make rules on the subject of the
17 provisions of [this act] is extended to the provisions of
18 [this act].

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

HOUSE BILL NO. 598

INTRODUCED BY

BY REQUEST OF THE BOARD OF CRIME CONTROL

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE BOARD OF CRIME CONTROL TO PROVIDE TECHNICAL ASSISTANCE AND SUPPORTIVE SERVICES TO CRIMINAL JUSTICE AGENCIES; AUTHORIZING THE BOARD TO ESTABLISH MINIMUM STANDARDS FOR EMPLOYMENT OF DETENTION OFFICERS AND DETENTION CENTER ADMINISTRATORS AND STANDARDS FOR DETENTION OFFICER TRAINING SCHOOLS; AND AMENDING SECTION 44-4-301, MCA."

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

Section 1. Section 44-4-301, MCA, is amended to read:

"44-4-301. Functions. (1) As designated by the governor as the state planning agency under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the board of crime control shall perform the functions assigned to it under that act. The board shall also provide to criminal justice agencies technical assistance and supportive services that are approved by the board or assigned by the governor or legislature.

(2) The board shall have the authority to establish minimum qualifying standards for employment of peace officers ~~whose primary responsibility as authorized by law~~

~~includes either the prevention and detection of crime or supervision of the enforcement of the penal, traffic, or fish and game laws of this state and its political subdivisions, as defined in 7-32-303, detention officers, and detention center administrators.~~

(3) The board shall have the authority to require basic training for such officers, establish minimum standards for equipment and procedures and for advanced in-service training for such officers, and establish minimum standards for any law enforcement and detention officer training schools administered by the state or any of its political subdivisions or agencies, to insure the public health, welfare, and safety.

(4) The board may waive the minimum qualification standard for good cause shown."

NEW SECTION. **Section 2.** Definitions. As used in 44-4-301 and this section, the following definitions apply:

(1) "Detention center" means a facility established and maintained by an appropriate entity for the purpose of confining arrested persons or persons sentenced to a detention center.

(2) "Detention center administrator" means the sheriff, chief of police, administrator, superintendent, director, or other individual serving as the chief executive officer of a detention center or temporary detention center.

(3) "Detention officer" means a person or a peace officer who has full-time or part-time authority and responsibility for maintaining custody of inmates and who performs tasks related to the operation of a detention center or temporary detention center.

(4) "Temporary detention center" means a facility for the temporary detention of an arrested person for up to 72 hours, excluding holidays, Saturdays, and Sundays. The period of time a person is held in temporary detention may not exceed 96 hours.

NEW SECTION. **Section 3.** Codification instruction. [Section 2] is intended to be codified as an integral part of Title 44, chapter 4, part 3, and the provisions of Title 44, chapter 4, part 3, apply to [section 2].

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7 basic training for ~~such~~ officers, establish minimum
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