

SENATE BILL NO. 23
INTRODUCED BY JERGESON

IN THE SENATE

JANUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
JANUARY 5, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 6, 1989	PRINTING REPORT.
JANUARY 7, 1989	SECOND READING, DO PASS.
JANUARY 9, 1989	ENGROSSING REPORT.
JANUARY 10, 1989	THIRD READING, PASSED. AYES, 49; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 10, 1988	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 20, 1989	FIRST READING.
MARCH 1, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 3, 1989	SECOND READING, CONCURRED IN.
MARCH 4, 1989	THIRD READING, CONCURRED IN. AYES, 93; NOES, 0.

MARCH 6, 1989

IN THE SENATE

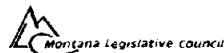
RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 SENATE BILL NO. 23
2 INTRODUCED BY JERGESON
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ADMIT THE VIDEOTAPED
5 TESTIMONY OF A SEX CRIME VICTIM INTO EVIDENCE FOR
6 PROSECUTION OF OTHER OFFENSES ARISING FROM THE ACTION BEING
7 PROSECUTED; AND AMENDING SECTION 46-15-401, MCA."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 **Section 1.** Section 46-15-401, MCA, is amended to read:
11 "46-15-401. When videotaped testimony admissible. For
12 any prosecution commenced under 45-5-502(3), 45-5-503,
13 45-5-505, or 45-5-507, and for all offenses arising from the
14 action being prosecuted, the testimony of the victim, at the
15 request of such victim and with the concurrence of the
16 prosecuting attorney, may be recorded by means of videotape
17 for presentation at trial. The testimony so recorded may be
18 presented at trial and shall be received into evidence. The
19 victim need not be physically present in the courtroom when
20 the videotape is admitted into evidence."

-End-



INTRODUCED BILL
SB 23

APPROVED BY COMMITTEE
ON JUDICIARY

SENATE BILL NO. 23

INTRODUCED BY JERGESON

A BILL FOR AN ACT ENTITLED: "AN ACT TO ADMIT THE VIDEOTAPED
TESTIMONY OF A SEX CRIME VICTIM INTO EVIDENCE FOR
PROSECUTION OF OTHER OFFENSES ARISING FROM THE ACTION-BEING
PROSECUTED SAME TRANSACTION; AND AMENDING SECTION 46-15-401,
MCA."

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

Section 1. Section 46-15-401, MCA, is amended to read:

"46-15-401. When videotaped testimony admissible. For
any prosecution commenced under 45-5-502(3), 45-5-503,
45-5-505, or 45-5-507, and-for-all-offenses-arising-from-the
action-being-prosecuted, AND FOR THE PROSECUTION OF ANY
OFFENSE ARISING FROM THE SAME TRANSACTION, AS DEFINED IN
46-11-501, the testimony of the victim, at the request of
such victim and with the concurrence of the prosecuting
attorney, may be recorded by means of videotape for
presentation at trial. The testimony so recorded may be
presented at trial and shall be received into evidence. The
victim need not be physically present in the courtroom when
the videotape is admitted into evidence."

-End-

SECOND READING
5023

SENATE BILL NO. 23

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TESTIMONY OF A SEX CRIME VICTIM INTO EVIDENCE FOR
PROSECUTION OF OTHER OFFENSES ARISING FROM THE ACTION-BEING
PROSECUTED SAME TRANSACTION; AND AMENDING SECTION 46-15-401,
MCA."

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

Section 1. Section 46-15-401, MCA, is amended to read:

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any prosecution commenced under 45-5-502(3), 45-5-503,
45-5-505, or 45-5-507, and-for-all-offenses-arising-from-the
action-being-prosecuted, AND FOR THE PROSECUTION OF ANY
OFFENSE ARISING FROM THE SAME TRANSACTION, AS DEFINED IN
46-11-501, the testimony of the victim, at the request of
such victim and with the concurrence of the prosecuting
attorney, may be recorded by means of videotape for
presentation at trial. The testimony so recorded may be
presented at trial and shall be received into evidence. The
victim need not be physically present in the courtroom when
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-End-



THIRD READING

SB23

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TESTIMONY OF A SEX CRIME VICTIM INTO EVIDENCE FOR
PROSECUTION OF OTHER OFFENSES ARISING FROM THE ACTION-BEING
PROSECUTED SAME TRANSACTION; AND AMENDING SECTION 46-15-401,
MCA."

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any prosecution commenced under 45-5-502(3), 45-5-503,
45-5-505, or 45-5-507, ~~and-for-all-offenses-arising-from-the~~
~~action-being-prosecuted,~~ AND FOR THE PROSECUTION OF ANY
OFFENSE ARISING FROM THE SAME TRANSACTION, AS DEFINED IN
~~46-11-501,~~ the testimony of the victim, at the request of
such victim and with the concurrence of the prosecuting
attorney, may be recorded by means of videotape for
presentation at trial. The testimony so recorded may be
presented at trial and shall be received into evidence. The
victim need not be physically present in the courtroom when
the videotape is admitted into evidence."

-End-

REFERENCE BILL

SB23