

SENATE BILL NO. 106
INTRODUCED BY PINSONEAULT
BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE SENATE

JANUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
JANUARY 21, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 23, 1989	PRINTING REPORT.
JANUARY 24, 1989	SECOND READING, DO PASS.
JANUARY 25, 1989	ENGROSSING REPORT.
JANUARY 26, 1989	THIRD READING, PASSED. AYES, 47; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 27, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 20, 1989	FIRST READING.
MARCH 14, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 18, 1989	SECOND READING, CONCURRED IN.
MARCH 21, 1989	THIRD READING, CONCURRED IN. AYES, 87; NOES, 8.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 1, 1989

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 4, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. 106
2 INTRODUCED BY *Sen. Cornwell*
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE
6 AUTHORITY OF THE GOVERNOR TO ISSUE A DEATH WARRANT WHEN
7 EXECUTION OF THE DEATH SENTENCE HAS BEEN SUSPENDED BECAUSE
8 THE PERSON TO BE EXECUTED IS A PREGNANT WOMAN; AND AMENDING
9 SECTION 46-19-204, MCA."
10

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

12 **Section 1.** Section 46-19-204, MCA, is amended to read:

13 "46-19-204. Proceedings following determination
14 regarding pregnancy. If it is found by the inquiry that the
15 woman is not pregnant, the warden of the Montana state
16 prison shall execute the judgment. If it is found that the
17 woman is pregnant, the warden shall suspend the execution of
18 judgment and transmit the inquisition to the governor. When
19 the governor is satisfied that the woman is no longer
20 pregnant, he may issue his a death warrant appointing a day
21 for the execution of the judgment. The warrant must recite
22 the conviction, the judgment, the method of execution, that
23 execution of judgment was suspended due to pregnancy, that
24 the governor is satisfied that the woman is no longer
25 pregnant, and the appointed date for the execution."

1 NEW SECTION. **Section 2.** Extension of authority. Any
2 existing authority to make rules on the subject of the
3 provisions of [this act] is extended to the provisions of
4 [this act].

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

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3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
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2 existing authority to make rules on the subject of the
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4 [this act].

-End-

STANDING COMMITTEE REPORT

March 14, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that
Senate Bill 106 (third reading copy -- blue) be concurred in
as amended .

Signed: 
Dave Brown, Chairman

[REP. LINDA NELSON WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Page 1, line 25.

Strike: "and"

Following: "execution"

Insert: ", and the duration of the warrant"

SB 106

HOUSE

RT

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