

SENATE BILL NO. 113

INTRODUCED BY TVEIT, GILBERT, DEVLIN,
LYNCH, NOBLE, STEPPLER

BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

IN THE SENATE

JANUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY.
	FIRST READING.
JANUARY 19, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 20, 1989	PRINTING REPORT.
JANUARY 21, 1989	SECOND READING, DO PASS.
JANUARY 23, 1989	ENGROSSING REPORT.
JANUARY 24, 1989	THIRD READING, PASSED. AYES, 48; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 24, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 20, 1989	FIRST READING.
MARCH 13, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 15, 1989	SECOND READING, CONCURRED IN.
MARCH 17, 1989	THIRD READING, CONCURRED IN. AYES, 93; NOES, 2.
	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.

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

SENATE BILL NO. 113

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BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT TO IMPOSE A PENALTY FOR
AIDING A RESIDENT'S FAILURE TO RETURN TO A YOUTH
CORRECTIONAL FACILITY; AND AMENDING SECTION 53-30-215, MCA;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 53-30-215, MCA, is amended to read:

"53-30-215. Penalty for aiding resident in leaving or
not returning to a youth correctional facility. (1) A person
who is guilty of an offense if he:

(a) permits or assists a resident of any a youth
correctional facility to leave a facility without
permission;

(b) permits or assists a resident's failure to return
to a youth correctional facility from which he had
permission to leave;

(c) or--who furnishes or attempts to furnish to such a
resident a tool, weapon, or other article with the intent of
aiding him to leave without permission or to not return; or

(d) or--who harbors or conceals a resident who has left

without permission.

(2) shall--on Upon conviction of a violation of
subsection (1), a person shall be punished by imprisonment
for a term of not less than 6 months or more than 2 years or
by a fine not exceeding \$1,000 or by both such fine and
imprisonment."

~~NEW SECTION:--Section 2--Effective date--[This act]
is effective on passage and approval.~~

-End-

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CORRECTIONAL FACILITY; AND AMENDING SECTION 53-30-215, MCA;
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Section 1. Section 53-30-215, MCA, is amended to read:

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not returning to a youth correctional facility. (1) A person
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correctional facility to leave a facility without
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without permission.

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subsection (1), a person shall be punished by imprisonment
for a term of not less than 6 months or more than 2 years or
by a fine not exceeding \$1,000 or by both such fine and
imprisonment."

~~NEW-SECTION--Section 2--Effective date--(This act)~~
~~is effective on passage and approval.~~

-End-

STANDING COMMITTEE REPORT

March 13, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that
SENATE BILL 113 (third reading copy -- blue) be concurred in
as amended .

Signed: 
Dave Brown, Chairman

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

And, that such amendments read:

1. Page 1, line 15.
Following: "if he"
Insert: "purposely or knowingly"


HOUSE

SB 13

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

Section 1. Section 53-30-215, MCA, is amended to read:

"53-30-215. Penalty for aiding resident in leaving or not returning to a youth correctional facility. (1) A person who is guilty of an offense if he PURPOSELY OR KNOWINGLY:

(a) permits or assists a resident of any a youth correctional facility to leave a facility without permission;

(b) permits or assists a resident's failure to return to a youth correctional facility from which he had permission to leave;

(c) ~~or--who~~ furnishes or attempts to furnish to such a resident a tool, weapon, or other article with the intent of aiding him to leave without permission or to not return; or

(d) ~~or--who~~ harbors or conceals a resident who has left

without permission.

(2) ~~shall--on~~ Upon conviction of a violation of subsection (1), a person shall be punished by imprisonment for a term of not less than 6 months or more than 2 years or by a fine not exceeding \$1,000 or by both such fine and imprisonment."

~~NEW SECTION--~~ **Section 2.** ~~Effective date--(This act) is effective on passage and approval.~~

-End-