

SENATE BILL NO. 66

INTRODUCED BY GROSFIELD
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE SENATE

JANUARY 2, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 4, 1993	FIRST READING.
JANUARY 11, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 12, 1993	PRINTING REPORT. SECOND READING, DO PASS.
JANUARY 13, 1993	THIRD READING, PASSED. AYES, 48; NOES, 0. ENGROSSING REPORT. TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 14, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION. FIRST READING.
JANUARY 21, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
JANUARY 23, 1993	SECOND READING, CONCURRED IN.
JANUARY 26, 1993	THIRD READING, CONCURRED IN. AYES, 96; NOES, 0. RETURNED TO SENATE.

IN THE SENATE

JANUARY 27, 1993	RECEIVED FROM HOUSE. SENT TO ENROLLING. REPORTED CORRECTLY ENROLLED.
------------------	--

1 SENATE BILL NO. 66

2 INTRODUCED BY GROSFIELD

3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE OFFENSES
6 THAT THE LEGISLATIVE AUDITOR MAY REPORT TO THE ATTORNEY
7 GENERAL; AND AMENDING SECTION 5-13-310, MCA."
8

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

10 Section 1. Section 5-13-310, MCA, is amended to read:

11 "5-13-310. Prosecution -- discipline of professionals.

12 (1) The attorney general shall conduct on behalf of the
13 state all prosecutions for public offenses ~~disclosed-by-an~~
14 ~~audit--of~~ involving a state agency performed that are
15 reported to the attorney general by the legislative auditor.

16 (2) If the attorney general ~~shall-decline-such declines~~
17 the prosecution or ~~shall-fail~~ fails to commence action on a
18 public offense within a reasonable time, the county attorney
19 of the appropriate county shall conduct on behalf of the
20 state ~~such the~~ prosecution.

21 (3) In any an action taken by the attorney general or
22 any a county attorney under this section, ~~wherein-any in~~
23 which a professional person in the state of Montana is
24 charged or may have engaged in unethical conduct, all
25 records or certified copies of ~~such the~~ records, including

1 investigative materials, ~~shall~~ must be turned over to the
2 appropriate disciplinary authority ~~of-his--or--her~~ for the
3 profession immediately upon completion of the action."

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 66

INTRODUCED BY GROSFIELD

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE OFFENSES
THAT THE LEGISLATIVE AUDITOR MAY REPORT TO THE ATTORNEY
GENERAL; AND AMENDING SECTION 5-13-310, MCA."

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

Section 1. Section 5-13-310, MCA, is amended to read:

"5-13-310. Prosecution -- discipline of professionals.

(1) The attorney general shall conduct on behalf of the
state all prosecutions for public offenses ~~disclosed-by-an~~
~~audit--of~~ involving a state agency performed that are
reported to the attorney general by the legislative auditor.

(2) If the attorney general ~~shall-decline-such~~ declines
the prosecution or shall-fail fails to commence action on a
public offense within a reasonable time, the county attorney
of the appropriate county shall conduct on behalf of the
state ~~such the~~ prosecution.

(3) In ~~any an~~ action taken by the attorney general or
~~any a~~ county attorney under this section, ~~wherein-any in~~
which a professional person in the state of Montana is
charged or may have engaged in unethical conduct, all
records or certified copies of ~~such the~~ records, including

investigative materials, ~~shall~~ must be turned over to the
appropriate disciplinary authority ~~of-his--or--her~~ for the
profession immediately upon completion of the action."

-End-

1 SENATE BILL NO. 66

2 INTRODUCED BY GROSFIELD

3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE OFFENSES
6 THAT THE LEGISLATIVE AUDITOR MAY REPORT TO THE ATTORNEY
7 GENERAL; AND AMENDING SECTION 5-13-310, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 5-13-310, MCA, is amended to read:

11 "5-13-310. Prosecution -- discipline of professionals.

12 (1) The attorney general shall conduct on behalf of the
13 state all prosecutions for public offenses ~~disclosed-by-an~~
14 audit--of involving a state agency performed that are
15 reported to the attorney general by the legislative auditor.

16 (2) If the attorney general ~~shall-decline-such declines~~
17 the prosecution or shall-fail fails to commence action on a
18 public offense within a reasonable time, the county attorney
19 of the appropriate county shall conduct on behalf of the
20 state such the prosecution.

21 (3) In any an action taken by the attorney general or
22 any a county attorney under this section, wherein-any in
23 which a professional person in the state of Montana is
24 charged or may have engaged in unethical conduct, all
25 records or certified copies of such the records, including

1 investigative materials, ~~shall~~ must be turned over to the
2 appropriate disciplinary authority ~~of-his--or--her~~ for the
3 profession immediately upon completion of the action."

-End-

SENATE BILL NO. 66

INTRODUCED BY GROSFIELD

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE OFFENSES
THAT THE LEGISLATIVE AUDITOR MAY REPORT TO THE ATTORNEY
GENERAL; AND AMENDING SECTION 5-13-310, MCA."

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

Section 1. Section 5-13-310, MCA, is amended to read:

"5-13-310. Prosecution -- discipline of professionals.

(1) The attorney general shall conduct on behalf of the
state all prosecutions for public offenses ~~disclosed-by-an~~
~~audit--of~~ involving a state agency performed that are
reported to the attorney general by the legislative auditor.

(2) If the attorney general ~~shall-decline-such~~ declines
the prosecution or ~~shall-fail~~ fails to commence action on a
public offense within a reasonable time, the county attorney
of the appropriate county shall conduct on behalf of the
state ~~such~~ the prosecution.

(3) In any an action taken by the attorney general or
any a county attorney under this section, ~~wherein-any~~ in
which a professional person in the state of Montana is
charged or may have engaged in unethical conduct, all
records or certified copies of ~~such~~ the records, including

investigative materials, ~~shall~~ must be turned over to the
appropriate disciplinary authority ~~of-his--or--her~~ for the
profession immediately upon completion of the action."

-End-