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House BILL NO. 187

INTRODUCED BY Dee Menahard Smith

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT PLACING THE FORENSIC FACILITY AT WARM SPRINGS, MONTANA, UNDER THE ADULT CORRECTIONS COMPONENT OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES; AMENDING SECTION 53-1-202, MCA; AND PROVIDING A CONTINGENT EFFECTIVE DATE."

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

Section 1. Section 53-1-202, MCA, is amended to read:

"53-1-202. Department of corrections and human services. (1) The following components are included in the department of corrections and human services to carry out the purposes of the department:

(a) adult corrections services consisting of the following institutional components to incarcerate and rehabilitate felons pursuant to Title 46, chapter 18:

- (i) the Montana state prison;
- (ii) the Montana women's correctional center; ~~and~~
- (iii) the forensic unit at Warm Springs; and

~~###~~(iv) appropriate community-based programs for the placement, supervision, and rehabilitation of adult felons who meet the criteria developed by the department for placement:

- (A) in prerelease centers;
- (B) under intensive supervision;
- (C) under parole or probation pursuant to Title 46, chapter 23, part 2; or
- (D) in other appropriate programs;

(b) mental health services consisting of the following institutional components for care and treatment of the mentally ill pursuant to Title 53, chapter 21:

- (i) the Montana state hospital;
- (ii) the Montana center for the aged; and
- (iii) a community services component consisting of appropriate services for the care and treatment

1 of the mentally ill pursuant to Title 53, chapter 21, part 2;

2 (c) chemical dependency services consisting of appropriate detoxification, inpatient, intensive
3 outpatient, outpatient, prevention, education, and other necessary chemical dependency services pursuant
4 to Title 53, chapter 24;

5 (d) institutional and residential components of the developmental disabilities system for those
6 developmentally disabled persons who require that care according to Title 53, chapter 20, consisting of:

7 (i) the Montana developmental center; and

8 (ii) the Eastmont human services center; and

9 (e) veterans' nursing homes for the nursing home and domiciliary care of honorably discharged
10 veterans as provided by law, consisting of:

11 (i) the Montana veterans' home; and

12 (ii) the eastern Montana veterans' home at Glendive.

13 (2) A state institution may not be moved, discontinued, or abandoned without prior consent of the
14 legislature."

15

16 **NEW SECTION. Section 2. Effective date.** [This act] is effective 20 days after the governor, by
17 executive order, declares that the construction of the new forensic unit at the Montana state hospital
18 complex in Warm Springs, Montana, is complete.

19

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0187, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill placing the forensic facility at Warm Springs Montana under the adult corrections component of the Department of Corrections and Human Services.

ASSUMPTIONS:

1. The current forensic unit will not be used as a prison reception unit until proposed renovations are completed at Montana State Hospital. There will be no fiscal impact during the 1997 biennium.

FISCAL IMPACT:

No fiscal impact during the 1997 biennium.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The fiscal impact will be incurred during the 1999 biennium. The impact will be related to the renovations and staffing needs and cannot be determined at this time.

Dave Lewis 1-18-95

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Menahan

WILLIAM MENAHAN, PRIMARY SPONSOR DATE

Fiscal Note for HB0187, as introduced

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