

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

12 **NEW SECTION. Section 1. Deprivation of right to keep and bear arms prohibited -- exceptions.**

13 Except when a person is charged with committing a forcible felony as defined in 45-2-101 or charged with a

14 crime of violence using a weapon as defined in 45-2-101, a-A person may not be deprived, pending trial, of any

15 rights protected by Article II, section 12, of the Montana constitution or the second amendment to the United

16 States constitution except when the person is charged with:

17 (1) committing a forcible felony as defined in 45-2-101;
18 (2) a crime of violence;
19 (3) partner or family member assault as defined in 45-5-206;
20 (4) stalking as defined in 45-5-220; or
21 (5) sexual intercourse without consent as defined in 45-5-503.

23 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
24 integral part of Title 45, chapter 8, part 3, and the provisions of Title 45, chapter 8, part 3, apply to [section 1].

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