

HOUSE BILL NO. 439

INTRODUCED BY L. DEMING, B. LER

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING ARRESTS, SEARCHES, AND SEIZURES BY FEDERAL EMPLOYEES; PROVIDING THAT FEDERAL EMPLOYEES AND OTHER AGENTS MUST OBTAIN THE COUNTY SHERIFF'S PERMISSION NOTIFY THE COUNTY SHERIFF PRIOR TO TAKING AN ACTION TO ARREST, SEARCH, AND SEIZE; PROVIDING EXCEPTIONS; PROVIDING FOR PROSECUTION OF FEDERAL EMPLOYEES AND OTHER AGENTS VIOLATING THIS ACT; REJECTING FEDERAL LAWS PURPORTING TO GIVE FEDERAL EMPLOYEES AND OTHER AGENTS THE AUTHORITY OF A COUNTY SHERIFF IN THIS STATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. SECTION 1. PURPOSE. (1) THE PURPOSES OF [SECTIONS 1 AND 2] ARE TO:

(1) ENSURE MAXIMUM COOPERATION BETWEEN FEDERAL EMPLOYEES, OR OTHER AGENTS OR INDIVIDUALS ACTING ON BEHALF OF THE FEDERAL GOVERNMENT, AND LOCAL LAW ENFORCEMENT;

(2) PROVIDE THE OPPORTUNITY FOR LAW ENFORCEMENT EVENT DECONFLICTION TO ENSURE OFFICER SAFETY AND TO SAFEGUARD CITIZENS;

(3) ENSURE THAT FEDERAL EMPLOYEES OR OTHER AGENTS OR INDIVIDUALS ACTING ON BEHALF OF THE FEDERAL GOVERNMENT WHO CARRY OUT ARRESTS, SEARCHES, AND SEIZURES IN THIS STATE RECEIVE THE BEST LOCAL KNOWLEDGE AND EXPERTISE AVAILABLE; AND

(4) PREVENT MISADVENTURE AFFECTING MONTANA CITIZENS AND THEIR RIGHTS THAT RESULTS FROM LACK OF COOPERATION OR COMMUNICATION BETWEEN FEDERAL EMPLOYEES, OR OTHER AGENTS OR INDIVIDUALS ACTING ON BEHALF OF THE FEDERAL GOVERNMENT OPERATING WITHIN THE STATE, AND LOCAL LAW ENFORCEMENT.

