

Amendment - 2nd Reading-yellow - Requested by: George Nikolakakos - (H) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Rachel Weiss,

HB0433.001.004

1 HOUSE BILL NO. 433

2 INTRODUCED BY G. NIKOLAKAKOS, M. NIKOLAKAKOS, C. COCHRAN, J. KASSMIER, B. LER, G.

3 OBLANDER, B. MITCHELL, J. HINKLE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE DEPRIVATION OF THE RIGHT TO KEEP
6 AND BEAR ARMS WHEN CHARGED WITH CERTAIN CRIMES IS PROHIBITED; AND PROVIDING AN
7 EXCEPTION FOR FORCIBLE FELONIES AND CRIMES USING A WEAPON."

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

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

12 Except when a person is charged with committing a forcible felony as defined in 45-2-101 or charged with a
13 crime of violence ~~using a weapon~~ as defined in ~~45-2-101~~ 46-18-104, a person may not be deprived, pending
14 trial, of any rights protected by Article II, section 12, of the Montana constitution or the second amendment to
15 the United States constitution.

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17 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
18 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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