

Amendment - 2nd Reading/2nd House-tan - Requested by: Josh Kassmier - (S) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Julie Johnson,

HB0913.003.004

1 HOUSE BILL NO. 913
2 INTRODUCED BY F. NAVE
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE PROVISIONS OF HOUSE BILL NO. 2;
5 INCREASING THE NUMBER OF DISTRICT COURT JUDGES; PROVIDING FOR A REPORT ON
6 COMMUNICATIONS AT THE MONTANA STATE PRISON; PROVIDING FOR AN INTERIM STUDY OF
7 STATE OFFENDER INDIVIDUAL RE-ENTRY SERVICES; PROVIDING FOR AN INTERIM STUDY ON
8 WAGES AND CONSOLIDATION OF LEGAL SERVICES; ESTABLISHING A DAILY RATE FOR DETENTION
9 CENTERS; ~~REVISING LEGAL REPRESENTATION AND COSTS ASSOCIATED WITH CHILDREN IN CHILD~~
10 ~~ABUSE AND NEGLECT CASES; AMENDING SECTIONS SECTION SECTIONS 3-5-102 AND 7-32-2242 AND~~
11 ~~41-3-425, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."~~

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
15 **Section 1.** Section 3-5-102, MCA, is amended to read:

16 **"3-5-102. Number of judges.** In each judicial district, there must be the following number of judges of
17 the district court:

- 18 (1) in the 2nd, 7th, 16th, 20th, and 21st districts, two judges each;
19 (2) in the 1st, 8th, and 18th districts, four judges each;
20 (3) in the 4th and 11th districts, five judges each;
21 (4) in the 13th district, ~~eight~~ 10 judges; and
22 (5) in all other districts, one judge each."

23
24 NEW SECTION. **Section 2. Reporting on inappropriate or illicit communications within**
25 **corrections.** (1) For the interim following the 69th legislative session, the department of corrections shall report
26 at each meeting of the law and justice interim committee and the judicial branch, law enforcement, and justice
27 interim budget committee on the details and effectiveness of its methods to reduce inappropriate or illicit

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Section 5. Section 7-32-2242, MCA, is amended to read:

"7-32-2242. Use of detention center -- payment of costs. (1) Local government, state, and federal law enforcement and correctional agencies may use any detention center for the confinement of arrested persons and the punishment of offenders, under conditions imposed by law and with the consent of the governing body responsible for the detention center.

(2) (a) Except as provided in 7-32-2245, if a person is confined in a detention center by an arresting agency not responsible for the operation of the detention center, the actual costs of holding the person in confinement must be paid by the arresting agency unless otherwise agreed to by the arresting agency and the operator of the detention center.

(b) If a city or town commits a person to the detention center of the county in which the city or town is located for a reason other than detention pending trial for or detention for service of a sentence for violating an ordinance of that city or town, the costs must be paid by the county, except as provided in 7-32-2245. If the department of corrections is the arresting agency and the inmate is a probation violator, the costs must be paid by the county in which the district court that retains jurisdiction over the inmate is located, except as provided in 7-32-2245.

(c) The department of corrections is responsible to pay actual costs for defendants following the pronouncement of sentence pursuant to 46-19-101.

(d) Payments must be made to the government unit responsible for the detention center or to the administrator operating a private detention center under an agreement provided for in 7-32-2201 on presentation of a claim to the arresting agency.

(e) For the purposes of this section, "actual costs" ~~of in reference to~~ a detention center ~~is defined as the greater of:~~

~~(i) the daily per inmate provider rate for crossroads correctional facility less 10%; or~~

~~(ii) \$82 means \$85.30 a day.~~

(3) If a person is a fugitive from justice from an out-of-state jurisdiction, the costs, including medical expenses, of holding the person in a detention center pending extradition must be paid by the out-of-state jurisdiction."

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2 **NEW SECTION. Section 6. Transfer of funds.** By July 15, 2025, the state treasurer shall transfer
3 \$40,000 from the general fund to the missing indigenous persons task force account established in [section 1 of
4 House Bill No. 83].

5
6 **COORDINATION SECTION. Section 7. Coordination instruction.** (1) If House Bill No. 2 is passed
7 and approved and does not contain an appropriation to the legislative services division of at least \$50,000 to
8 staff the study provided for in [section 3], then [section 3] is void.

9 (2) If House Bill No. 2 is passed and approved and does not contain the following appropriations
10 for the study and report in [section 4], then [section 4] is void:

11 (a) at least \$25,000 to the department of administration to provide reports ~~and a proposal~~ provided
12 for in [section 4]; and

13 (b) at least \$20,000 to the legislative fiscal division to staff the study provided for in [section 4].
14

15 **COORDINATION SECTION. Section 8. Coordination instruction.** If both House Bill No. 643 and
16 [this act] are passed and approved and if both contain a section that amends 7-32-2242, then the section
17 amending 7-32-2242 in House Bill No. 643 is void.

18
19 **NEW SECTION. Section 9. Effective date.** [This act] is effective July 1, 2025.
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21 **NEW SECTION. Section 10. Termination.** [Sections 2 through 4] terminate September 30, 2026.

22 - END -