

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 1 | Filename: 411018001

Short Title: Sex Offender Accountability Act

Agency Contact Person/Phone: Ali Bovingdon (406)444-9734

1. Purpose:

Amend Montan Sexual and Violent Offender Act to bring law into compliance with the Sex Offender Registration and Notification Act (SORNA) passed by Congress in 2006.

2. Background:

SORNA refers to the Sex Offender Registration and Notification Act which is Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248). SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. SORNA aims to close potential gaps and loopholes that existed under prior law and generally strengthens the nationwide network of sex offender registration and notification programs. States that do not comply risk a 10% penalty against Byrne Grant Funding.

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

The additional requirements of SORNA may require additional resources at both the state and local level.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only, Federal Requirement, Audit Recommendation, Major Legislation, Anticipated to be Controversial Legislation, Bill Draft has been included in Legislation Submittal, Supports Submitted EPP Item Number, Local Government Fiscal Impact, Increases FTE, or Decreases FTE by, List FTE amount and program, Increases Existing Revenue, Decreases Existing Revenue, Establishes New Revenue, Leg. has been Submitted in Previous Legislative Sessions, Legislation would affect other state agencies, Special Interest Groups Affected, Other.

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 2 Filename: 411018002

Short Title: Update Laws Governing Teletypewriter Communications System

Agency Contact Person/Phone: Ali Bovington 444-9734

1. Purpose:

Amend sections 44-2-301 through 44-2-316, MCA, which establish the Teletypewriter Communications System to update outdated terminology and to change the statutes to reflect best practices.

2. Background:

[Shaded area for background information]

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

None

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only Federal Requirement Audit Recommendation (Audit No.) [] Major Legislation
- Anticipated to be Controversial Legislation Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number [] Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by List FTE amount and program []
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no): []
- Legislation would affect other state agencies (list): []
- Special Interest Groups Affected (list): []
- Other: []

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 3 Filename: 411032003

Short Title: Regulate Designer Drugs

Agency Contact Person/Phone: Ali Bovingdon 444-9734

1. Purpose:

Amend 50-32-222, MCA, specific dangerous drugs included in Schedule I, to expand the definition of synthetic cannabinoids, adopted in 2011, to encompass illicit drugs that have been identified in Montana since the passage of the original legislation and to add a definition of bath salts.

2. Background:

[Shaded area for background text]

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

None.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only Federal Requirement Audit Recommendation (Audit No.) [] Major Legislation
- Anticipated to be Controversial Legislation Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number [] Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by List FTE amount and program []
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no): []
- Legislation would affect other state agencies (list): []
- Special Interest Groups Affected (list): []
- Other: []

Proposed 2013 Session Legislation

Agency Name & No:	Department of Justice		
Priority Number:	4	Filename:	411002004
Short Title:	Clarify Attorney General's Non-Profit Regulation Authority		
Agency Contact Person/Phone:	Ali Bovingdon 444-9734		

1. Purpose:

Amend definition of trade and commerce under the Consumer Protection Act to include activities by non-profit organizations.

2. Background:

3. Fiscal Impact by Fund Type: *This impact should be as specific as possible.*

None.

4. Summary Checklist [Check & complete all that apply]--

<input type="checkbox"/> Housekeeping Only	<input type="checkbox"/> Federal Requirement	<input type="checkbox"/> Audit Recommendation (Audit No. [])	<input type="checkbox"/> Major Legislation
<input type="checkbox"/> Anticipated to be Controversial Legislation	<input type="checkbox"/> Bill Draft has been included in Legislation Submittal (if available)		
<input type="checkbox"/> Supports Submitted EPP Item Number []	<input type="checkbox"/> Local Government Fiscal Impact		
<input type="checkbox"/> Increases FTE, or <input type="checkbox"/> Decreases FTE by	List FTE amount and program	[]	
<input type="checkbox"/> Increases Existing Revenue	<input type="radio"/> Tax	<input type="radio"/> Fee	<input type="radio"/> Penalty [amount in #3]
<input type="checkbox"/> Decreases Existing Revenue	<input type="radio"/> Tax	<input type="radio"/> Fee	<input type="radio"/> Penalty [amount in #3]
<input type="checkbox"/> Establishes New Revenue	<input type="radio"/> Tax	<input type="radio"/> Fee	<input type="radio"/> Penalty [amount in #3]
<input type="checkbox"/> Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):	[]		
<input type="checkbox"/> Legislation would affect other state agencies (list):	[]		
<input type="checkbox"/> Special Interest Groups Affected (list):	[]		
<input type="checkbox"/> Other:	[]		

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 5 Filename: 411002005

Short Title: Non-Profit Registry

Agency Contact Person/Phone: Ali Bovington 444-9734

1. Purpose:

Create a searchable registry of non-profits doing business in Montana.

2. Background:

Legislation would require non-profits doing business in Montana to register with the Office of Consumer Protection. The legislation is intended to protect Montanan's against fraud. It would serve to protect both the public and legitimate non-profits whose reputations can be harmed by fraudulent activity within the non-profit sector.

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

Will require staffing for development of database and ongoing maintenance.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only, Federal Requirement, Audit Recommendation, Major Legislation, Anticipated to be Controversial Legislation, Bill Draft has been included in Legislation Submittal, Supports Submitted EPP Item Number, Local Government Fiscal Impact, Increases/Decreases FTE, Revenue changes (Tax, Fee, Penalty), Leg. has been Submitted in Previous Legislative Sessions, Legislation would affect other state agencies, Special Interest Groups Affected, Other.

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 6 Filename: 411002006

Short Title: Regulate Reverse Mortgages

Agency Contact Person/Phone: Ali Bovingdon 444-9734

1. Purpose:

The purpose is to strengthen Montana law governing reverse mortgages.

2. Background:

Reverse mortgages have become a popular and aggressively marketed loan for senior consumers over the age of 62. The loans are complex and can be a costly way for seniors living on a fixed income to borrow money.

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

Unknown at this time.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only Federal Requirement Audit Recommendation (Audit No.) Major Legislation
- Anticipated to be Controversial Legislation Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by List FTE amount and program
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):
- Legislation would affect other state agencies (list):
- Special Interest Groups Affected (list):
- Other:

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 7 **Filename:** 411013007

Short Title: Clarify Citation Process for Montana Highway Patrol

Agency Contact Person/Phone: Ali Bovingdon 444-9734

1. Purpose:

Clarify 44-1-1001 through 44-1-1003, MCA, to reflect current methods for citation and taking bail or bond from a defendant. The Montana Highway Patrol has made significant technological advancement in the manner in which citations are issued and money is collected, and those changes need to be reflected in the law.

2. Background:

3. Fiscal Impact by Fund Type: *This impact should be as specific as possible.*

None.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only Federal Requirement Audit Recommendation (Audit No.:) Major Legislation
- Anticipated to be Controversial Legislation Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by List FTE amount and program
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):
- Legislation would affect other state agencies (list):
- Special Interest Groups Affected (list):
- Other:

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 8 Filename: 411001008

Short Title: Clarify Application of Parole Eligibility for Juvenile Offenders.

Agency Contact Person/Phone: Ali Bovington 444-9734

1. Purpose:

Amend 46-18-122, MCA, to clarify application of parole eligibility for juvenile offenders.

2. Background:

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

None.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only Federal Requirement Audit Recommendation (Audit No. []) Major Legislation
- Anticipated to be Controversial Legislation Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number [] Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by List FTE amount and program []
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no): []
- Legislation would affect other state agencies (list): []
- Special Interest Groups Affected (list): []
- Other: []

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 9 Filename: 411001009

Short Title: Revise False Claims Act

Agency Contact Person/Phone: Ali Bovington 444-9734

1. Purpose:

Amend the Montana False Claims Act, 17-8-401 through 17-8-413, to bring the law into compliance with federal law. States deemed by the Office of Inspector General to have qualifying statutes receive a 10 percentage point increase in their share of amounts recovered arising out of a medicaid fraud false claim action.

2. Background:

[Shaded area for background information]

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

None.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only
- Federal Requirement
- Audit Recommendation (Audit No.): []
- Major Legislation
- Anticipated to be Controversial Legislation
- Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number []
- Local Government Fiscal Impact
- Increases FTE, or Decreases FTE by [] List FTE amount and program []
- Increases Existing Revenue Tax Fee Penalty [amount in #3]
- Decreases Existing Revenue Tax Fee Penalty [amount in #3]
- Establishes New Revenue Tax Fee Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no): []
- Legislation would affect other state agencies (list): []
- Special Interest Groups Affected (list): []
- Other: []

Proposed 2013 Session Legislation

Agency Name & No: Department of Justice

Priority Number: 10 Filename: 41101012

Short Title: Revise Motor Vehicle Laws

Agency Contact Person/Phone: Ali Bovington 444-9734

1. Purpose:

The Department will submit a bill to clean up the statutes governing motor vehicles and to address changes in the industry since the 2011 session.

2. Background:

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

Unknown at this time.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only, Federal Requirement, Audit Recommendation, Major Legislation, Anticipated to be Controversial Legislation, Bill Draft has been included in Legislation Submittal, Supports Submitted EPP Item Number, Local Government Fiscal Impact, Increases FTE, Decreases FTE, Revenue changes (Tax, Fee, Penalty), Leg. has been Submitted in Previous Legislative Sessions, Legislation would affect other state agencies, Special Interest Groups Affected, Other.