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1-25-05  
SB 146

Amendments to Senate Bill 146  
Introduced Bill

Requested by the Department of Justice  
and the American Civil Liberties Union

Prepared by Jacqueline T. Lenmark  
January 23, 2005

1. Page 14, line 28 through page 16, line 8.  
Strike: subsections (3) through (6) in their entirety  
Insert: [still need language]

x. Page 16, line 10.  
Following: "treasurer"  
Strike: "may"  
Insert: "shall"

x. Page 63.  
Following: line 24

Insert: "Section 61. Section 53-30-110, MCA, is amended to read:

**"53-30-110. Expense of trial for offenses committed in prison.** (1) Whenever a trial of any person takes place under any of the provisions of 45-7-306 and or whenever a prisoner in the state prison is tried for any crime committed in prison, the county clerk of the county where the trial is held shall make out a statement of all the costs incurred by the county for the trial of the case and of guarding and keeping the prisoner, properly. The statement must be certified by a district judge of the county.

(2) The statement must be sent for approval to:

(a) the office of state public defender, provided for in [section 7], if counsel was assigned for the person pursuant to the Montana Public Defender Act, [sections 1 through 4 and 6 through 14]; or

(b) the department of corrections for its approval if counsel was not assigned for the person pursuant to the Montana Public Defender Act.

(3) After such approval, the If the statement is approved, the office of state public defender or the department shall pay the costs out of the money appropriated for the support of the state prison to the county treasurer of the county where the trial was held.

(4) The department shall pay the costs, if any, out of the money appropriated for the support of the state prison."

Renumber: subsequent section

-- End --