

HOUSE BILL NO. 696

INTRODUCED BY J. WINDY BOY

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF CORRECTIONS TO CONDUCT A MISDEMEANOR PROBATION PILOT PROGRAM IN THE 8TH, 9TH, 12TH, 15TH, AND 17TH JUDICIAL DISTRICTS TO MONITOR PERSONS CONVICTED OF MISDEMEANOR PARTNER OR FAMILY MEMBER ASSAULT; APPROPRIATING MONEY FOR THE PILOT PROGRAM; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Misdemeanor probation for partner or family member assault -- pilot program -- report to legislature -- department of corrections responsibilities. (1) Subject to an appropriation of the legislature, the department of corrections shall conduct a pilot project to monitor offenders convicted of misdemeanor partner or family member assault for sentence compliance and payment of restitution. The pilot program must include offenders sentenced by any district court, justice's court, municipal court, or city court in the 8th, 9th, 12th, 15th, and 17th judicial districts. The department may provide the misdemeanor supervision either directly or through contracted services. The misdemeanor probation services must comply with the provisions of 46-23-1005(2) and (3).

(2) The pilot program must be conducted for the biennium beginning July 1, 2007, and ending June 30, 2009.

(3) The department shall report to the 61st legislature the information gathered from the pilot program, including a summary of the results of the study, the number of cases monitored, the cost of the program, the amount of restitution repaid by offenders monitored under the program, and any other information that the department considers useful to the legislature. The report must contain an analysis of the costs and benefits of misdemeanor probation and a recommendation to the 61st legislature regarding future funding for misdemeanor probation services.

NEW SECTION. Section 2. Appropriation. There is appropriated for the 2009 biennium from the general fund to the department of corrections \$100,000 to conduct the misdemeanor probation pilot program in

1 the 8th, 9th, 12th, 15th, and 17th judicial districts as provided in [section 1]. Any unexpended portion of this
2 appropriation reverts to the general fund.

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4 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2007.

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