

HOUSE BILL NO. 710

INTRODUCED BY J. POMNICHOWSKI

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING PERSONS CONVICTED OF DRIVING UNDER THE INFLUENCE FOR A SECOND OR SUBSEQUENT OFFENSE FROM PARTICIPATING IN THE COUNTY JAIL WORK PROGRAM; AND AMENDING SECTION 7-32-2227, MCA."

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

Section 1. Section 7-32-2227, MCA, is amended to read:

"7-32-2227. Inmate eligibility for participation. A person may be permitted to participate in a county jail work program if the person:

(1) has been sentenced to the county jail for an offense and is not confined in the county jail upon process in a civil action or prior to examination or trial;

(2) is not serving a sentence for homicide, robbery, sexual intercourse without consent, arson, burglary, kidnapping, escape, assault, partner or family member assault, incest, second or subsequent driving under the influence of alcohol or drugs, or any other offense in which violence is an element of the crime or for an offense during the course of which bodily injury or death occurred;

(3) was not prohibited from participating in the county work program by the sentencing judge, magistrate, or justice of the peace or by the judge's, magistrate's, or justice's successor; and

(4) has applied to participate to the county sheriff and the sheriff, pursuant to written policy, has approved the participation."

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