

HOUSE BILL NO. 723

INTRODUCED BY E. ARNTZEN

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING COUNTY DRINKING AND DRIVING TASK FORCES TO INCLUDE WITHIN THE SCOPE OF COUNTY DRINKING AND DRIVING PREVENTION PROGRAMS ABUSE OF OTHER CHEMICAL SUBSTANCES; AND AMENDING SECTIONS 61-2-106, 61-2-107, AND 61-2-108, MCA."

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

Section 1. Section 61-2-106, MCA, is amended to read:

"61-2-106. County drinking and driving prevention program for prevention of driving while using alcohol or other chemical substances. (1) The governing body of a county may appoint a task force to study the problem of ~~alcohol-related~~ traffic accidents related to the use of alcohol or other chemical substances and recommend a program designed to:

- (a) prevent driving while under the influence of alcohol or other chemical substances;
 - (b) reduce ~~alcohol-related~~ traffic accidents related to the use of alcohol or other chemical substances;
- and
- (c) educate the public on the dangers of driving after consuming alcoholic beverages or other chemical substances that impair judgment or motor functions.

(2) A task force appointed under subsection (1) shall conduct its study and submit its recommendations within 6 months from the date it was appointed. Task force meetings are open to the public. The task force shall give notice by publication in the community meeting announcement section of a newspaper of general circulation in the county.

(3) The county governing body may by resolution adopt the recommendations of the task force appointed under subsection (1). The proposed program must be approved by the governor as provided in 61-2-105.

- (4) The chairman of the task force shall submit to the county governing body:
 - (a) a budget and a financial report for each fiscal year; and
 - (b) an annual report containing but not limited to:
 - (i) an evaluation of the effectiveness of the program;



1 (ii) the number of arrests and convictions in the county for driving under the influence of alcohol or other
 2 chemical substances and the sentences imposed for these convictions;

3 (iii) the number of ~~alcohol-related~~ traffic accidents related to the use of alcohol or other chemical
 4 substances in the county; and

5 (iv) any other information requested by the county governing body or considered appropriate by the task
 6 force.

7 (5) A copy of the annual report may be submitted to the department."
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9 **Section 2.** Section 61-2-107, MCA, is amended to read:

10 **"61-2-107. License reinstatement fee to fund county ~~drinking and driving~~ prevention programs.**

11 (1) Notwithstanding the provisions of any other law of the state, a driver's license that has been suspended or
 12 revoked under 61-5-205 or 61-8-402 must remain suspended or revoked until the driver has paid to the
 13 department a fee of \$200 in addition to any other fines, forfeitures, and penalties assessed as a result of
 14 conviction for a violation of the traffic laws of the state.

15 (2) The department shall deposit one-half of the fees collected under subsection (1) in the general fund
 16 and the other half in an account in the state special revenue fund to be used for funding county ~~drinking and~~
 17 ~~driving prevention~~ programs for the prevention of driving while using alcohol or other chemical substances as
 18 provided in 61-2-108."
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20 **Section 3.** Section 61-2-108, MCA, is amended to read:

21 **"61-2-108. Funding allocation for programs to prevent or reduce ~~drinking and driving~~ while using**
 22 **alcohol or other chemical substances.** If the county in which the violation or violations occurred has initiated

23 and maintained a ~~drinking and driving prevention~~ program for the prevention of driving while using alcohol or other
 24 chemical substances as provided in 61-2-106, the department shall transmit the county portion of the proceeds
 25 of the license reinstatement fees collected in that county to the county treasurer, as provided in 61-2-107(2), at
 26 the end of each quarter."
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