

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A DRUG TREATMENT COURT COUNCIL AND  
5 A DRUG TREATMENT COURT ADVISORY BOARD; AND PROVIDING AN EFFECTIVE DATE."

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

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9 NEW SECTION. **Section 1. Drug treatment court council -- purpose.** (1) There is a drug treatment  
10 court council consisting of five members appointed by the chief justice of the supreme court as follows:

- 11 (a) one supreme court justice;
- 12 (b) three district court judges;
- 13 (c) one municipal court judge or justice of the peace.

14 (2) Members shall serve staggered 3-year terms and may be reappointed or elected for a second 3-year  
15 term, except that the terms of the first members appointed or elected are staggered terms as determined by the  
16 presiding officer. The justice of the supreme court shall serve as the presiding officer of the council and shall  
17 appoint a vice presiding officer to serve in the absence of the presiding officer. The council shall establish  
18 procedures for the conduct of its affairs. A vacancy on the council must be filled in the same manner as the  
19 original appointment and in a timely manner.

20 (3) Members of the council may not receive a salary for service on the council but must be reimbursed  
21 for expenses, as provided in 2-18-501 through 2-18-503, while actually engaged in the discharge of official duties.

22 (4) The council is responsible for shaping the state's policy concerning drug treatment court  
23 administration. The council's primary responsibility is to set the executive level administrative structure for drug  
24 treatment courts. Drug treatment court administration is a statewide effort. Administrative functions include  
25 distributing funds, training drug treatment court personnel, and conducting other typical executive and  
26 administrative functions.

27 (5) The council is attached to the office of the supreme court administrator for administrative purposes  
28 only as provided in 2-15-121.

29  
30 NEW SECTION. **Section 2. Drug treatment court advisory board -- purpose.** (1) The supreme court



1 shall organize a drug treatment court advisory board to assist the drug treatment court council in fulfilling its  
2 responsibilities. The advisory board must include:

- 3 (a) one prosecutor;
- 4 (b) one public defender or defense attorney;
- 5 (c) one juvenile and adult probation or parole officer from the department of corrections who has  
6 significant experience with drug treatment courts and substantial experience related to treatment;
- 7 (d) one substance abuse treatment provider from the department of public health and human services;
- 8 (e) one rehabilitated graduate of a drug treatment program; and
- 9 (f) one academic professional from an accredited institution of higher education in Montana having  
10 rehabilitation treatment expertise.

11 (2) The drug treatment court advisory board is attached to the office of the supreme court administrator  
12 for administrative purposes only as provided in 2-15-121.

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14 NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified  
15 as an integral part of Title 46, chapter 1, part 11, and the provisions of Title 46, chapter 1, part 11, apply to  
16 [sections 1 and 2].

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

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