

SENATE BILL NO. 220

INTRODUCED BY D. LEWIS

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR PAYMENT OF THE PARTIAL SALARY OF A DETENTION CENTER STAFF MEMBER WHO IS INJURED IN THE PERFORMANCE OF DUTY; AMENDING SECTIONS 7-32-2113 AND 7-32-2114, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-32-2113, MCA, is amended to read:

"7-32-2113. Payment of partial salary of deputy sheriff or detention center staff member injured in performance of duty. (1) A deputy sheriff or a detention center staff member who is injured in the performance of the deputy sheriff's or detention center staff member's duties and who requires medical or other remedial treatment for injuries that render the deputy sheriff or detention center staff member unable to perform the deputy sheriff's or detention center staff member's duties must be paid by the county the difference between the deputy sheriff's or detention center staff member's net salary, following adjustments for income taxes and pension contributions, and the amount received from workers' compensation until the disability has ceased, as determined by workers' compensation, or for a period not to exceed 1 year, whichever occurs first.

(2) To qualify for the partial salary payment provided for in subsection (1), the deputy sheriff or detention center staff member must be unable to perform the deputy sheriff's or detention center staff member's duties as a result of the injury."

Section 2. Section 7-32-2114, MCA, is amended to read:

"7-32-2114. Assignment to light duty or other agency. (1) Whenever, in the opinion of the county and supported by a health care provider's opinion, the deputy sheriff or detention center staff member is able to perform specified types of light duty, payment of the ~~officer's~~ deputy sheriff's or detention center staff member's partial salary amount under 7-32-2113 must be discontinued if the deputy sheriff or detention center staff member refuses to perform light duty when it is available and offered to the deputy sheriff or detention center staff member.

(2) The deputy sheriff or detention center staff member may be transferred to another department or



1 agency within the county."

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3 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2009.

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