

## 1 SENATE BILL NO. 46

2 INTRODUCED BY M. TROPILA

3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING PAYMENTS TO AGENTS RETURNING FUGITIVES  
6 IN EXTRADITION PROCEEDINGS; AND AMENDING SECTION 46-30-411, MCA."7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:9  
10 **Section 1.** Section 46-30-411, MCA, is amended to read:11 **"46-30-411. Expenses of bringing fugitives back to this state.** (1) When the governor of this state,  
12 in the exercise of the authority conferred by Article IV, section 2, of the constitution of the United States or by the  
13 laws of this state, demands from the executive authority of any state of the United States or of any foreign  
14 government the surrender to the authorities of this state of a fugitive from justice who has been found and  
15 arrested in that state or foreign government, the accounts of the person employed by the governor to bring back  
16 the fugitive must be audited by the governor and paid out of the state treasury.17 (2) An agent of this state authorized to return a fugitive from justice to this state may use commercial  
18 transportation, aircraft, or motor vehicle to return the fugitive. ~~The~~ If the fugitive is returned to this state by an  
19 officer or employee of the state or of a political subdivision of the state, the agent must be paid travel expenses,  
20 as provided for in 2-18-501 through 2-18-503, incurred in returning the fugitive to this state. If the governor's  
21 authorized agent contracts for the performance of the transportation with a person or entity who is not an officer  
22 or employee of the state or of a political subdivision of the state, the expenses must be paid in accordance with  
23 the rate established by the contracting parties, as approved by the office of the governor."

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