62nd Legislature SB0114.02

1	SENATE BILL NO. 114
2	INTRODUCED BY G. HINKLE, BRENDEN, FLYNN, HENDRICK, HUTTON, JONES, KARY, KENNEDY,
3	KERNS, MILLER, RANDALL, C. SMITH, SONJU, STAHL, STEINBEISSER, WARBURTON, BLASDEL,
4	ROSENDALE, LONEY, SKEES, BUTTREY, BURNETT, ZINKE, R. OSMUNDSON
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING ARRESTS, SEARCHES, AND SEIZURES BY
7	FEDERAL EMPLOYEES; PROVIDING THAT FEDERAL EMPLOYEES MUST OBTAIN THE COUNTY
8	SHERIFF'S PERMISSION TO ARREST, SEARCH, AND SEIZE; PROVIDING EXCEPTIONS; PROVIDING FOR
9	PROSECUTION OF FEDERAL EMPLOYEES VIOLATING THIS ACT; REJECTING FEDERAL LAWS
10	PURPORTING TO GIVE FEDERAL EMPLOYEES THE AUTHORITY OF A COUNTY SHERIFF IN THIS STATE;
11	STATING THAT FEDERAL LAW ENFORCEMENT OFFICERS SHOULD COMMUNICATE WITH LOCAL
12	SHERIFFS BEFORE TAKING OFFICIAL ACTION IN A COUNTY; AND PROVIDING AN IMMEDIATE EFFECTIVE
13	DATE."
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16	(Refer to Introduced Bill)
17	Strike everything after the enacting clause and insert:
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19	NEW SECTION. Section 1. Purpose. The purpose of [sections 1 and 2] is to:
20	(1) enhance cooperation between federal law enforcement officers and law enforcement officers of this
21	state;
22	(2) encourage federal law enforcement officers to use the knowledge and expertise of local law
23	enforcement officers in the performance of the federal officers' official duties; and
24	(3) encourage federal law enforcement officers to communicate with local law enforcement officers when
25	performing the federal officers' official duties in a local jurisdiction.
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27	NEW SECTION. Section 2. Communication with local sheriff. (1) Before taking any official law
28	enforcement action in a county in this state, a federal law enforcement officer should communicate with the
29	sheriff of the county in which the action is to be taken unless the communication would impede the federal
30	officer's official duties.

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1	(2) If a federal law enforcement officer does not inform the sheriff before taking official action, the office
2	should do so as soon as practical after the fact.
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4	NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified
5	as an integral part of Title 44, and the provisions of Title 44 apply to [sections 1 and 2].
6	
7	NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.
8	- END -

