

SENATE BILL NO. 114

INTRODUCED BY G. HINKLE, BRENDEN, FLYNN, HENDRICK, HUTTON, JONES, KARY, KENNEDY, KERN, MILLER, RANDALL, C. SMITH, SONJU, STAHL, STEINBEISSER, WARBURTON, BLASDEL, ROSENDALE, LONEY, SKEES, BUTTREY, BURNETT, ZINKE, R. OSMUNDSON

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING ARRESTS, SEARCHES, AND SEIZURES BY FEDERAL EMPLOYEES; PROVIDING THAT FEDERAL EMPLOYEES MUST OBTAIN THE COUNTY SHERIFF'S PERMISSION TO ARREST, SEARCH, AND SEIZE; PROVIDING EXCEPTIONS; PROVIDING FOR PROSECUTION OF FEDERAL EMPLOYEES VIOLATING THIS ACT; REJECTING FEDERAL LAWS PURPORTING TO GIVE FEDERAL EMPLOYEES THE AUTHORITY OF A COUNTY SHERIFF IN THIS STATE; STATING THAT FEDERAL LAW ENFORCEMENT OFFICERS SHOULD COMMUNICATE WITH LOCAL SHERIFFS BEFORE TAKING OFFICIAL ACTION IN A COUNTY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. **Section 1. Purpose.** The purpose of [sections 1 and 2] is to:

- (1) enhance cooperation between federal law enforcement officers and law enforcement officers of this state;
- (2) encourage federal law enforcement officers to use the knowledge and expertise of local law enforcement officers in the performance of the federal officers' official duties; and
- (3) encourage federal law enforcement officers to communicate with local law enforcement officers when performing the federal officers' official duties in a local jurisdiction.

NEW SECTION. **Section 2. Communication with local sheriff.** (1) Before taking any official law enforcement action in a county in this state, a federal law enforcement officer should communicate with the sheriff of the county in which the action is to be taken unless the communication would impede the federal officer's official duties.



