

HOUSE BILL NO. 32

INTRODUCED BY K. WAGONER

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF MISUSE OF CONFIDENTIAL CRIMINAL JUSTICE INFORMATION; AND PROVIDING PENALTIES."

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

NEW SECTION. Section 1. Misuse of confidential criminal justice information. (1) A person commits the offense of misuse of confidential criminal justice information if the person is entitled to DIRECTLY access ~~confidential~~ THE criminal justice information NETWORK and purposely or knowingly:

~~(a) accesses confidential criminal justice information for an unauthorized purpose; or~~

~~———— (b) disseminates confidential criminal justice information to any person who is not authorized to receive confidential criminal justice information pursuant to 44-5-303.~~

(A) ACCESSES THE CRIMINAL JUSTICE INFORMATION NETWORK FOR PERSONAL USE OR FINANCIAL GAIN; OR

(B) DISSEMINATES INFORMATION ACCESSED FROM THE CRIMINAL JUSTICE INFORMATION NETWORK TO ANY PERSON WHO IS NOT AUTHORIZED TO RECEIVE CONFIDENTIAL CRIMINAL JUSTICE INFORMATION PURSUANT TO 44-5-303.

(2) A person convicted of the offense of misuse of confidential criminal justice information shall be imprisoned in the county jail for a term not to exceed 6 months and be fined an amount not less than \$500.

(3) For purposes of this section, "~~confidential criminal justice information~~" ~~has the meaning provided in 44-5-103.~~ THE FOLLOWING DEFINITIONS APPLY:

(A) "CONFIDENTIAL CRIMINAL JUSTICE INFORMATION" HAS THE MEANING PROVIDED IN 44-5-103.

(B) "CRIMINAL JUSTICE INFORMATION NETWORK" HAS THE MEANING PROVIDED IN 44-2-301.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 45, chapter 7, and the provisions of Title 45, chapter 7, apply to [section 1].

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