

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

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6 A BILL FOR AN ACT ENTITLED: "AN ACT MODIFYING WHEN AN ORGANIZED MILITIA MEMBER OR  
7 INDIVIDUAL LAWFULLY CALLED, ORDERED, OR DRAFTED FOR DUTY IN THE ORGANIZED MILITIA MAY  
8 BE TURNED OVER TO CIVIL AUTHORITIES FOR TRIAL; ALLOWING THE ADJUTANT GENERAL OR THE  
9 ADJUTANT GENERAL'S DESIGNEE TO ORDER A SUSPECT TO BE TURNED OVER TO CIVIL AUTHORITIES  
10 FOR CHARGING AND TRIAL; AND AMENDING SECTION 10-1-408, MCA."

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

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14 **Section 1.** Section 10-1-408, MCA, is amended to read:

15 **"10-1-408. Trial by civil authority -- when authorized.** In a case where the offense ~~charged under~~  
16 investigation is also an offense against civil authority, the ~~convening authority of a court-martial may, upon request~~  
17 ~~of the civil authorities, adjutant general or the adjutant general's designee may order the person charged~~ suspect  
18 to be turned over to the appropriate civil authorities of this state for charging and trial."

19 - END -