

HOUSE BILL NO. 480

INTRODUCED BY N. DURAM, J. TREBAS

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE SECURITY DIVISION FOR THE STATE LOTTERY IS A CRIMINAL JUSTICE AGENCY AND INVESTIGATORS OF THE SECURITY DIVISION ARE GRANTED PEACE OFFICER STATUS; AND AMENDING SECTION 23-7-212, MCA."

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

Section 1. Section 23-7-212, MCA, is amended to read:

"23-7-212. Assistant director for security -- qualifications -- duties. (1) The director shall appoint an assistant director for security, who serves at the pleasure of the director.

(2) The assistant director for security must be qualified by training and experience, have at least 5 years of law enforcement experience, and be knowledgeable and experienced in computer security.

(3) The assistant director for security:

(a) must be responsible for a security division to ensure security, honesty, fairness, and integrity in the operation and administration of the state lottery, including but not limited to an examination of the background of all prospective employees, sales agents, lottery and sports wagering vendors, and contractors.

The security division is designated a law enforcement criminal justice agency, and investigators with the security division are granted powers and duties of agents as provided in 44-2-115(3) and peace officer status under 23-5-113 for the purpose of administering this chapter.

(b) shall, in conjunction with the director, confer with the attorney general or the attorney general's designee to promote and ensure security, honesty, fairness, and integrity of the operation and administration of the state lottery and establish a memorandum of understanding that contemplates investigatory and regulatory collaboration and assistance between the department of justice and the state lottery as considered necessary by both parties; and

(c) shall, in conjunction with the director, report any alleged violation of law to the attorney general, the legislative auditor, and any other appropriate law enforcement authority for further investigation and action."

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