

## SENATE BILL NO. 2

INTRODUCED BY K. BOGNER

BY REQUEST OF THE ECONOMIC AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE CRIMINAL INTELLIGENCE INFORMATION ADVISORY COUNCIL; PROVIDING FOR TERM LIMITS FOR LEGISLATIVE MEMBERS; CLARIFYING REIMBURSEMENT FOR ADVISORY COUNCIL MEMBERS; AMENDING SECTION 44-5-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 44-5-501, MCA, is amended to read:

**"44-5-501. Creation of criminal intelligence information section -- advisory council.** (1) The department of justice may create a criminal intelligence information section.

(2) ~~(a)~~ If a section is created under subsection (1), the attorney general shall establish a criminal intelligence information advisory council in accordance with 2-15-122.

(3) (a) The advisory council consists of seven members. Except as provided in subsections (3)(a)(v) and (3)(a)(vi), the members must be appointed by the attorney general. The membership must include:

(i) ~~consisting of~~ one representative from the Montana chiefs of police association;

(ii) one representative from the Montana sheriffs and peace officers association;

(iii) one representative from the Montana county ~~attorneys~~ attorneys' association;

(iv) one member of the department of justice;

(v) ~~a one~~ member of the ~~judiciary committee of either the house of representatives or the senate~~ senate judiciary committee, appointed by the committee on committees;

(vi) one member of the house judiciary committee, appointed by the speaker of the house; and

(vii) a citizen at large.

(b) The representatives from the Montana chiefs of police association and the Montana sheriffs and peace officers association must be sworn officers of a participating agency.

1 (c) The department of justice member may not be an employee of the department involved in  
2 criminal intelligence or criminal investigation work.

3 (d) Members of the advisory council serve at the pleasure of the attorney general.

4 (4) The legislative members of the advisory council shall serve terms of 4 years and may be  
5 reappointed. A term begins on April 1 of odd-numbered years and ends on March 31. The committee on  
6 committees or speaker of the house shall appoint a new legislative member of the advisory council on or before  
7 February 1 of the odd-numbered year that coincides with the expiration of the current legislative member of the  
8 advisory council's term. The terms of the legislative member of the advisory council must be staggered.

9 ~~(5)(c) The department shall provide staff and support services for the advisory council. The advisory~~  
10 ~~council is attached to the department of justice for administrative purposes only, and members are entitled to~~  
11 ~~reimbursement for travel expenses as provided in 2-18-501 through 2-18-503."~~

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13 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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