



AN ACT REQUIRING A PEACE OFFICER WHO IS ABOUT TO INTERROGATE A PERSON WHO IS IN CUSTODY TO GIVE THE PERSON THE MIRANDA WARNING.

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

**Section 1. Miranda warning prior to custodial interrogation.** Before interrogating a person who is in custody, a peace officer shall inform the person that the person has the right to remain silent, that anything the person says can be used against the person in a court of law, that the person has the right to speak to an attorney and to have an attorney present during any questioning, and that if the person cannot afford an attorney, one will be provided for the person at no cost to the person. A person who is stopped under 46-5-401 and 46-5-402 is not in custody unless the stop goes beyond the purposes of those sections.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 46, chapter 6, part 1, and the provisions of Title 46 apply to [section 1].

- END -

I hereby certify that the within bill,  
HB 0246, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

HOUSE BILL NO. 246  
INTRODUCED BY HARRIS

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