



AN ACT EXPANDING THE ABILITY OF HIGHWAY PATROL OFFICERS TO MAKE ARRESTS OF PERSONS IN THE POSSESSION OF DANGEROUS DRUGS OR DRUG PARAPHERNALIA; SUBSTITUTING THE TERM "DANGEROUS DRUGS" FOR "NARCOTICS"; AND AMENDING SECTION 44-1-1001, MCA.

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

**Section 1.** Section 44-1-1001, MCA, is amended to read:

**"44-1-1001. Offenses for which patrol officers may make arrests.** (1) The highway patrol chief and all patrol officers may make arrests for the offenses listed in subsection (2) under the following circumstances:

- (a) the offense is committed in the presence of the chief or any patrol officer;
- (b) the offense is committed in a rural district and a request for assistance is made by a peace officer;

or

(c) the offense is committed in a city or town with a population of less than 2,500 and a request for assistance is made by a peace officer or the mayor of the city or town.

(2) Offenses for which arrests may be made under subsection (1) are:

- (a) deliberate homicide;
- (b) assault with a deadly weapon;
- (c) arson;
- (d) criminal mischief;
- (e) burglary;
- (f) theft;
- (g) kidnapping;
- ~~(h) illegal transportation of narcotics; or~~
- (h) possession of dangerous drugs;
- (i) possession of drug paraphernalia; or

~~(j)~~(j) violation of the Dyer Act regarding the transportation of stolen automobiles."

- END -

I hereby certify that the within bill,  
HB 0350, 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. 350  
INTRODUCED BY COHENOUR

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