

HOUSE BILL NO. 451
INTRODUCED BY E. CLARK

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING PRIVATE CORRECTIONAL FACILITIES TO CONFINE OUT-OF-STATE INMATES; AMENDING SECTION 53-30-603, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 53-30-603, MCA, is amended to read:

"53-30-603. Private correctional facilities -- confinable persons. (1) An individual, corporation, partnership, association, or other private organization or entity may not construct a private correctional facility in this state unless authorized by the department.

(2) An individual, corporation, partnership, association, or other private organization or entity may not operate a private correctional facility in this state unless licensed by the department. A license is nontransferable.

(3) A person charged or convicted in another state or charged or convicted in federal court in another state may ~~not~~ be confined in a private correctional facility in this state pursuant to approval by the department of a written agreement between the originating jurisdiction and the private correctional facility. The department's approval may not be unreasonably withheld."

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

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