

HOUSE BILL NO. 103

INTRODUCED BY R. DRISCOLL

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A CITY ATTORNEY SHALL, WITHIN 10 DAYS, SERVE UPON THE ATTORNEY GENERAL A COPY OF ANY NOTICE OF APPEAL THAT THE CITY ATTORNEY FILES OR RECEIVES IN A CRIMINAL PROCEEDING; AND AMENDING SECTION 7-4-4604, MCA."

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

**Section 1.** Section 7-4-4604, MCA, is amended to read:

**"7-4-4604. Duties.** ~~It shall be the duty of the~~ The city attorney to attend shall:

(1) appear before the city court and other courts of the city and the district court and prosecute on behalf of the city;

(2) serve upon the attorney general within 10 days of the filing or receipt a copy of any notice of appeal that the city attorney files or receives in a criminal proceeding;

(3) He shall, when required, draw, draft for the use of the city council; contracts and ordinances for the government of the city;

(4) and, when required, give to the mayor or city council written opinions on questions pertaining to the duties and the rights, liabilities, and powers of the corporation. city; and

(5) He shall perform such other duties as that pertain to the functions of the city council or as that the city council may prescribe prescribes by resolution."

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