

HOUSE BILL NO. 518
INTRODUCED BY J. FRENCH

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SUPERVISED VISITATION AND EXCHANGE MONITORING PILOT PROGRAM ADMINISTERED BY THE MONTANA BOARD OF CRIME CONTROL; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Supervised visitation and exchange monitoring pilot program. (1)

There is a supervised visitation and exchange monitoring pilot program administered by the board of crime control. The purpose of the program is to authorize the board of crime control to enter into contracts with eligible providers to create safe places for visitation with and exchange of children in cases of domestic violence, sexual assault, stalking, or child abuse and cases requiring supervised visitation as ordered under 40-4-218.

(2) The board of crime control is authorized to contract with providers to operate supervised visitation centers in two communities in a pilot program.

(3) A provider seeking to contract with the board of crime control for a pilot program shall demonstrate the following minimum requirements:

(a) expertise in the area of domestic violence and the power and control dynamics of domestic violence;
(b) adequate security measures in place for the operation of supervised visitation and exchange monitoring, including separate facility entrances, a secure facility, and personnel capable of preventing violence;
and

(c) prescribed standards and protocols by which supervised visitation and exchange monitoring may occur.

(4) The supervised visitation centers shall provide:

(a) exchange monitoring by a third party of the movement of a child between the custodial and noncustodial parent or between joint custodial parents at the start of a visit and at the end of a visit as required by a court order or with mutual consent of the child's parents for the purposes of facilitating a visitation;

(b) supervised visitation to allow contact between a noncustodial party and one or more children in the presence of a neutral third party; and

(c) supervised visitation and monitored exchange services to families when the child or children are

residing with one parent, not including children in out-of-home care, foster care, or kinship care.

(5) A provider shall charge a reasonable fee to individuals for use of program services based on the income of the individual, unless provided otherwise by court order. A schedule of sliding fees must be approved by the board of crime control. Fees may be retained by the provider for program use only.

NEW SECTION. Section 2. Supervised visitation and exchange monitoring pilot program -- administrative costs. The costs incurred by the board of crime control in administering the supervised visitation and exchange monitoring pilot program must be paid with money from the appropriation in [section 3]. The board may use up to 10% of the appropriation for administrative costs. The board shall keep costs to a minimum and shall use the board's existing office space, personnel, equipment, and supplies to the extent possible.

NEW SECTION. Section 3. Appropriation. There is appropriated the following amounts from the general fund to the board of crime control to contract with providers to operate supervised visitation centers in two communities:

Fiscal Year 2008	\$250,000
Fiscal Year 2009	200,000

NEW SECTION. Section 4. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 44, chapter 4, part 3, and the provisions of Title 44, chapter 4, part 3, apply to [sections 1 and 2].

NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2007.

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