

SENATE BILL NO. 392
INTRODUCED BY J. O'NEIL

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT MANDATORY ANNUAL TRAINING SESSIONS FOR JUSTICES OF THE PEACE BE OPEN TO ATTENDANCE BY ANY PERSON WHO WISHES TO ATTEND THE SESSIONS; ALLOWING A REASONABLE CHARGE FOR ATTENDANCE; AND AMENDING SECTION 3-10-203, MCA."

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

Section 1. Section 3-10-203, MCA, is amended to read:

"3-10-203. Orientation course -- annual training -- sessions to be open to members of public. (1)

Under the supervision of the supreme court, a course of study must be presented as soon as is practical following each general election. Actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, and the costs of registration and books and other materials must be paid to the elected or appointed justice of the peace for attending the course by the county in which the justice of the peace holds or will hold court and must be charged against that county.

(2) There must be two mandatory annual training sessions supervised by the supreme court for all elected and appointed justices of the peace. One of the training sessions may be held in conjunction with the Montana magistrates' association convention. Actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, and the costs of registration and books and other materials must be paid to the elected or appointed justice of the peace for attending the sessions by the county in which the justice of the peace holds or will hold court and must be charged against that county.

(3) Each justice of the peace shall attend the training sessions provided for in subsection (2). Failure to attend disqualifies the justice of the peace from office and creates a vacancy in the office. However, the supreme court may excuse a justice of the peace from attendance because of illness, a death in the family, or any other good cause.

(4) All mandatory annual training sessions required under subsection (2) must be open to attendance by any person who wishes to attend the sessions. A person attending a training session under this subsection must be allowed to take any tests that are taken by other enrollees. A person attending a training session under this subsection may be required to pay a reasonable charge for attendance."

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