

1 HOUSE BILL NO. 433

2 INTRODUCED BY J. O'HARA

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO REGISTRATION OF SEXUAL OR
5 VIOLENT OFFENDERS; PROVIDING THAT OFFENDERS MUST REGISTER WHEN THEY ARE LOCATED
6 IN A COUNTY THAT IS NOT THEIR COUNTY OF RESIDENCE FOR MORE THAN 10 DAYS; REQUIRING
7 OFFENDERS TO REGISTER IN ANY COUNTY WHERE THEY REMAIN FOR 24 HOURS UNTIL THEY
8 RETURN TO THEIR COUNTY OF RESIDENCE; AMENDING SECTION 46-23-505, MCA; AND PROVIDING AN
9 IMMEDIATE EFFECTIVE DATE."

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

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13 **Section 1.** Section 46-23-505, MCA, is amended to read:

14 **"46-23-505. Notice of change of name or residence or student, employment, or transient status**
15 **-- duty to inform -- forwarding of information.** (1) If an offender required to register under this part has a
16 change of name or residence or a change in student, employment, or transient status, the offender shall within
17 3 business days of the change appear in person and give notification of the change to the registration agency
18 with whom the offender last registered or, if the offender was initially registered under 46-23-504(1)(b), to the
19 registration agency for the county or municipality from which the offender is moving. The registration agency shall
20 require the offender to appear before the registration agency for a new photograph every year.

21 (2) If an offender required to register under this part is a transient, the offender shall provide written
22 notification to the registration agency with which the offender last registered or, if the offender initially registered
23 pursuant to 46-23-504(1)(b), shall provide notice within 3 business days to the registration agency in the county
24 or municipality in which the offender resides.

25 (3) Within 3 business days after receipt of the information concerning the new name or residence or a
26 change in the student, employment, or transient status, the registration agency shall forward the information to
27 the department of justice, which shall forward a copy of the information and photograph to:

28 (a) in the event of a change in residence, the registration agency for the county to which the offender
29 moves and, if the offender lives in a municipality, the registration agency for that municipality to which the offender
30 moves;

1 (b) in the event of a change of name or of student, employment, or transient status, the registration
2 agency of the appropriate county or municipality.

3 (4) If an offender who is required to register under this part is physically absent from the offender's
4 county of residence for more than 10 consecutive days, the offender shall register in the county where the
5 offender is physically located on the 11th day even if the offender claims to maintain a residence, as defined in
6 46-23-502, in that county. The offender shall register again in the offender's county of residence when the
7 offender returns to that county.

8 (5) If an offender is required to register under subsection (4), the offender shall register in any county
9 where the offender is present for more than 24 hours until the offender registers again in the offender's county
10 of residence."

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

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