



AN ACT ESTABLISHING QUALIFICATIONS FOR THE ELECTION OR APPOINTMENT TO THE OFFICE OF SHERIFF; PROVIDING CRITERIA FOR A FORFEITURE OF OFFICE; AND PROVIDING AN APPLICABILITY DATE.

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

Section 1. Qualifications for election or appointment to office of sheriff. (1) In addition to meeting the qualifications for county office provided in 7-4-2201, a person is not eligible for the position of sheriff at the time of election or appointment unless the individual:

(a) is a high school graduate or has been issued a high school equivalency diploma by the superintendent of public instruction or by an appropriate issuing agency of another state or of the federal government;

(b) is at least 18 years of age;

(c) is a United States citizen;

(d) possesses or is eligible to possess a valid Montana driver's license;

(e) has not been convicted of a crime for which the person could have been imprisoned in a federal or state penitentiary; and

(f) is eligible to receive and disseminate criminal justice information through the criminal justice information network as defined in 44-2-301.

(2) An elected or appointed sheriff who fails to obtain access to the criminal justice information network as required in subsection (1)(f) forfeits office for failure to satisfactorily meet the qualifications required of a sheriff.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 7, chapter 32, part 21, and the provisions of Title 7, chapter 32, part 21, apply to [section 1].

Section 3. Applicability. [This act] applies to sheriffs elected or appointed on or after [the effective date

of this act].

- END -

I hereby certify that the within bill,
HB 0164, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2019.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 164

INTRODUCED BY B. USHER, B. BEARD, S. BERGLEE, N. DURAM, F. FLEMING, F. GARNER, D. LENZ,
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