



AN ACT REVISING CRIMINAL PROCEDURE LAWS RELATED TO SEXUAL OFFENSES; PROVIDING PROCEDURE FOR A DEFENDANT TO MOVE FOR AN INTERVIEW OF A CHILD VICTIM OF A SEXUAL OFFENSE; PROVIDING FOR A HEARING; PROVIDING FOR REASONABLE ACCOMMODATIONS FOR THE CHILD; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Interview of child under age 16. (1) A defendant may not interview a child under the age of 16 who alleges to be the victim of sexual abuse as provided in 45-5-502, 45-5-503, 45-5-504, 45-5-507, 45-5-508, or 45-5-625, or an immediate family member of the child who is also under the age of 16, except by an order of the court upon a motion showing that the defendant has exceptional circumstances that necessitate interviewing the child victim.

(2) Upon a motion under subsection (1), the court may, in its discretion, order an interview. If the court orders an interview, the court shall list the reasons for and scope of the interview and, if requested, provide any reasonable accommodations for the child victim for the interview.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 46, chapter 15, part 3, and the provisions of Title 46, chapter 15, part 3, apply to [section 1].

Section 3. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0590, 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. 590
INTRODUCED BY D. FERN

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