



AN ACT EXTENDING TERMINATION OF THE MISSING INDIGENOUS PERSONS TASK FORCE AND THE GRANT PROGRAM IT ADMINISTERS; CLARIFYING INFORMATION THAT THE TASK FORCE MUST REPORT; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 44-2-411 AND 44-2-412, MCA; AMENDING SECTION 8, CHAPTER 373, LAWS OF 2019; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Section 44-2-411, MCA, is amended to read:

"44-2-411. (Temporary) Missing indigenous persons task force -- membership -- duties -- reporting. (1) There is a missing indigenous persons task force. The task force is allocated to the department of justice for staffing services and administrative purposes only.

(2) Task force members, including the presiding officer, must be appointed by the attorney general or a designee of the attorney general. The task force membership must include but is not limited to:

(a) an employee of the department of justice who has expertise in the subject of missing persons;

(b) a representative from each ~~tribal government located on the seven~~ federally recognized Indian tribe in Montana reservations and the Little Shell Chippewa tribe;

(c) a member from the Montana highway patrol; and

(d) a representative from the attorney general's office.

(3) While respecting the government-to-government relationship between the state and each tribe, the primary duties of the task force are to:

(a) administer the looping in native communities network grant program provided for in 44-2-412; and

(b) (i) identify jurisdictional barriers between federal, state, local, and tribal law enforcement and community agencies; and

(ii) work to identify strategies to improve interagency communication, cooperation, and collaboration to remove jurisdictional barriers and increase reporting and investigation of missing indigenous persons; and

(c) work to identify causes that contribute to missing and murdered indigenous persons and make recommendations to federally recognized tribes in the state to reduce cases of missing and murdered indigenous persons.

~~(4) (a) The task force members must be appointed within 60 days after May 8, 2019. A vacancy on the task force must be filled in the manner of the original appointment.~~

~~(b) The task force shall develop and finalize the looping in native communities network grant application and award criteria no later than October 15, 2019.~~

~~(c) The task force shall select the recipient of the looping in native communities network competitive grant under 44-2-412(2) and disburse the grant funds no later than March 15, 2020.~~

~~(d) The task force must select eligible grantees and disburse funds for any grants awarded pursuant to 44-2-412(3) by June 30, 2020.~~

~~(e) The task force shall convene at least one meeting with tribal and local law enforcement agencies, federally recognized tribes, and urban Indian organizations for the purposes of subsection (3)(b) and to determine the scope of the problem of missing indigenous women and children.~~

~~(f)(5) The By July 1 prior to each regular legislative session, the task force shall, in accordance with 5-11-210, prepare a written written report of findings and recommendations for submission to the state-tribal relations interim-committee provided for in 5-5-229, no later than September 1, 2020. The report must include a recommendation to the 67th legislature as to whether the task force should continue in existence. The report must include the following information:~~

~~(a) the number of unique individuals reported to the missing and murdered indigenous persons database;~~

~~(b) the number of unique individuals recovered as a result of the missing and murdered indigenous persons database;~~

~~(c) the number of unique individuals recovered as a result of the looping in native communities network grant program;~~

~~(d) the number of unique individuals searched for and recovered as a result of missing persons~~

response teams;

(e) the number of missing persons entries into the missing and murdered indigenous persons database by year;

(f) an analysis by year of the characteristics of missing indigenous persons, including but not limited to age, gender, child protective services involvement status, foster case status, duration of time missing, and estimated related cause;

(g) the number of actively missing indigenous persons by year;

(h) a description and the results of any noncompetitive grant awardee activities;

(i) a description of the activities and progress related to improving interagency communication, cooperation, and collaboration and removing interjurisdictional barriers; and

(j) any other information the task force members find relevant to the task force's mission. (Terminates June 30, 2024 2023 --sec. 8, Ch. 373, L. 2019.)"

Section 2. Section 44-2-412, MCA, is amended to read:

"44-2-412. (Temporary) Looping in native communities network grant program. (1) There is a looping in native communities network grant program. The program is established to create a network in support of efforts by Montana tribes to identify, report, and find Native American persons who are missing. The grant program is administered by the missing indigenous persons task force established in 44-2-411.

(2) The grant program includes a competitive grant to be awarded to ~~one tribal college~~ a tribal entity to create and administer a central administration point for the looping in native communities network. The missing indigenous persons task force shall develop the application and the criteria to award the grant to a tribal college ~~entity~~. The criteria must include:

(a) policies and standards for technology and equipment, including data storage and security of information entered into the network;

(b) standards for data verification;

(c) job qualifications and requirements for a data specialist to administer the network;

(d) development of a system to provide automatic initial alerts ~~pursuant to law enforcement,~~ agencies and tribal, and community organizations when a missing indigenous person report is made, including

determining which law enforcement agencies will receive the automatic initial alert;

(e) development of a standard reporting form that includes space to provide the information specified in subsection (4) to be used by the data specialist; and

(f) administrative rights for a designee at each participating tribal agency.

(3) The grant program may include additional smaller, noncompetitive grants to be awarded to a qualifying tribal agency at each reservation that submits a complete application. The purpose of the grants awarded under this subsection is to provide matching funds for some or all of the costs required for the tribal agency to set up and maintain access to the looping in native communities network.

(4) The standard reporting form required under subsection (2)(e) must allow a data specialist to enter information about the missing indigenous person, including but not limited to the missing person's:

(a) name and any aliases or nicknames;

(b) gender, age, height, weight, and other physical descriptive characteristics;

(c) last known location and related information, including the date of last contact with the missing indigenous person and the person with whom the missing indigenous person last made contact; and

(d) photographs, including photographs obtained from an online or social media profile. (Terminates June 30, ~~2024~~ 2023--sec. 8, Ch. 373, L. 2019.)"

Section 3. Section 8, Chapter 373, Laws of 2019, is amended to read:

"Section 8. Termination. [This act] terminates June 30, ~~2024~~ 2023."

Section 4. Transfer of funds. By July 15, 2021, the state treasurer shall transfer \$50,000 from the state general fund to the looping in native communities network state special revenue account established in 44-2-413.

Section 5. Appropriation. There is appropriated \$50,000 from the looping in native communities network state special revenue account established in 44-2-413 to the missing indigenous persons task force established in 44-2-411 for the biennium beginning July 1, 2021, for the purposes of providing matching funds to tribal agencies to implement the looping in native communities network grant program established in 44-2-

412. Any funds that are unencumbered by June 30, 2023, must revert to the general fund.

Section 6. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

Section 7. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 98, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2021.

President of the Senate

Signed this _____ day
of _____, 2021.

HOUSE BILL NO. 98

INTRODUCED BY S. STEWART-PEREGOY

BY REQUEST OF THE STATE-TRIBAL RELATIONS COMMITTEE

AN ACT EXTENDING TERMINATION OF THE MISSING INDIGENOUS PERSONS TASK FORCE AND THE GRANT PROGRAM IT ADMINISTERS; CLARIFYING INFORMATION THAT THE TASK FORCE MUST REPORT; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 44-2-411 AND 44-2-412, MCA; AMENDING SECTION 8, CHAPTER 373, LAWS OF 2019; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.