

1 HOUSE BILL NO. 480

2 INTRODUCED BY N. DURAM, J. TREBAS

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE SECURITY DIVISION FOR THE STATE
5 LOTTERY IS A CRIMINAL JUSTICE AGENCY AND INVESTIGATORS OF THE SECURITY DIVISION ARE
6 GRANTED PEACE OFFICER STATUS; AND AMENDING SECTION 23-7-212, MCA."

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

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10 Section 1. Section 23-7-212, MCA, is amended to read:

11 "23-7-212. Assistant director for security -- qualifications -- duties. (1) The director shall appoint
12 an assistant director for security, who serves at the pleasure of the director.

13 (2) The assistant director for security must be qualified by training and experience, have at least 5
14 years of law enforcement experience, and be knowledgeable and experienced in computer security.

15 (3) The assistant director for security:

16 (a) must be responsible for a security division to ensure security, honesty, fairness, and integrity in
17 the operation and administration of the state lottery, including but not limited to an examination of the
18 background of all prospective employees, sales agents, lottery and sports wagering vendors, and contractors.

19 The security division is designated a ~~law enforcement~~ criminal justice law enforcement agency, ~~and~~
20 investigators with the security division are granted powers and duties of agents as provided in 44-2-115(3) and
21 peace officer status under 23-5-113 and the director, the assistant director, and the investigators employed by
22 the security division are peace officers as provided in 7-32-303 for the purpose of administering this chapter.

23 (b) shall, in conjunction with the director, confer with the attorney general or the attorney general's
24 designee to promote and ensure security, honesty, fairness, and integrity of the operation and administration of
25 the state lottery and establish a memorandum of understanding that contemplates investigatory and regulatory
26 collaboration and assistance between the department of justice and the state lottery as considered necessary
27 by both parties; and

28 (c) shall, in conjunction with the director, report any alleged violation of law to the attorney general,

Amendment - 1st Reading-white - Requested by: Keith Regier - (S) Judiciary

- 2023

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Drafter: Julianne Burkhardt, 406-444-4025

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1 the legislative auditor, and any other appropriate law enforcement authority for further investigation and action."

2 - END -

AMEND