

SENATE BILL NO. 2

INTRODUCED BY K. BOGNER

BY REQUEST OF THE ECONOMIC AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE CRIMINAL INTELLIGENCE INFORMATION ADVISORY COUNCIL; PROVIDING FOR TERM LIMITS FOR LEGISLATIVE MEMBERS; CLARIFYING REIMBURSEMENT FOR ADVISORY COUNCIL MEMBERS; AMENDING SECTION 44-5-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 44-5-501, MCA, is amended to read:

"44-5-501. Creation of criminal intelligence information section -- advisory council. (1) The department of justice may create a criminal intelligence information section.

(2) ~~(a)~~ If a section is created under subsection (1), the attorney general shall establish a criminal intelligence information advisory council in accordance with 2-15-122.

~~(3)~~ (a) The advisory council consists of seven members. Except as provided in subsections (3)(a)(v) and (3)(a)(vi), the members must be appointed by the attorney general. The membership must include:

(i) \_\_\_\_\_, consisting of one representative from the Montana chiefs of police association;

(ii) \_\_\_\_\_ one representative from the Montana sheriffs and peace officers association;

(iii) \_\_\_\_\_ one representative from the Montana county attorneys' association;

(iv) \_\_\_\_\_ one member of the department of justice;

(v) \_\_\_\_\_ a one member of the judiciary committee of either the house of representatives or the senate judiciary committee, appointed by the committee on committees;

(vi) \_\_\_\_\_ one member of the house judiciary committee, appointed by the speaker of the house; and

(vii) \_\_\_\_\_ a citizen at large.

(b) The representatives from the Montana chiefs of police association and the Montana sheriffs and peace officers association must be sworn officers of a participating agency.

**Amendment - 1st Reading-white - Requested by: Andrea Olsen - (S) Judiciary**

68th Legislature

Drafter: Julianne Burkhardt, 406-444-4025

SB0002.001.001

1 (c) The department of justice member may not be an employee of the department involved in  
2 criminal intelligence or criminal investigation work.

3 (d) Members of the advisory council serve at the pleasure of the attorney general.

4 ~~(4) The legislative members of the advisory council shall serve terms of 4 years and may be  
5 reappointed. A term begins on April 1 of odd-numbered years and ends on March 31. The committee on  
6 committees or speaker of the house shall appoint a new legislative member of the advisory council on or before  
7 February 1 of the odd-numbered year that coincides with the expiration of the current legislative member of the  
8 advisory council's term. The terms of the legislative member of the advisory council must be staggered, until  
9 the member's term of office as a legislator ends and until a successor is appointed.~~

10 ~~(5)(e) The department shall provide staff and support services for the advisory council The advisory  
11 council is attached to the department of justice for administrative purposes only, and members are entitled to  
12 reimbursement for travel expenses as provided in 2-18-501 through 2-18-503."~~

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

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