## Amendment - 1st Reading-white - Requested by: Barry Usher - Conference Committee on SB 95

68th Legislature 2023 Drafter: Julianne Burkhardt, 406-444-4025 SB0095.003.003

1	SENATE BILL NO. 95
2	INTRODUCED BY B. USHER
3	BY REQUEST OF THE CRIMINAL JUSTICE OVERSIGHT COUNCIL
4	
5	BILL FOR AN ACT ENTITLED: "AN ACT REVISING SENTENCING LAWS FOR THEFT, FAILURE TO
6	ETURN RENTED OR LEASED PERSONAL PROPERTY, ISSUING A BAD CHECK, DECEPTIVE
7	RACTICES, AND FORGERY; PROVIDING APPROPRIATIONS; PROVIDING FOR CONTINGENT
8	OIDNESS; AND AMENDING SECTIONS 45-2-101, 45-6-301, 45-6-309, 45-6-316, 45-6-317, AND 45-6-325,
9	ICA <u>; AND PROVIDING AN EFFECTIVE DATE</u> ."
10	
11	E IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	
13	Section 1. Section 45-2-101, MCA, is amended to read:
14	"45-2-101. General definitions. Unless otherwise specified in the statute, all words must be taken in
15	ne objective standard rather than in the subjective, and unless a different meaning plainly is required, the
16	ollowing definitions apply in this title:
17	(1) "Acts" has its usual and ordinary meaning and includes any bodily movement, any form of
18	ommunication, and when relevant, a failure or omission to take action.
19	(2) "Administrative proceeding" means a proceeding the outcome of which is required to be based
20	n a record or documentation prescribed by law or in which a law or a regulation is particularized in its
21	pplication to an individual.
22	(3) "Another" means a person or persons other than the offender.
23	(4) (a) "Benefit" means gain or advantage or anything regarded by the beneficiary as gain or
24	dvantage, including benefit to another person or entity in whose welfare the beneficiary is interested.
25	(b) Benefit does not include an advantage promised generally to a group or class of voters as a
26	onsequence of public measures that a candidate engages to support or oppose.
27	(5) "Bodily injury" means physical pain, illness, or an impairment of physical condition and includes



## Amendment - 1st Reading-white - Requested by: Barry Usher - Conference Committee on SB 95

68th Legislature 2023 Drafter: Julianne Burkhardt, 406-444-4025 SB0095.003.003

1	NEW SECTION. Section 8. Contingent voidness. If BOTH [THIS ACT] AND HOUSE BILL NO. 817 ARE
2	PASSED AND APPROVED AND IF HOUSE BILL NO. 817 DOES NOT PROVIDE FOR AN APPROPRIATION OF AT LEAST
3	\$3,942,000 FROM THE GENERAL FUND IN EACH FISCAL YEAR OF THE BIENNIUM BEGINNING JULY 1, 2023, TO THE
4	DEPARTMENT OF CORRECTIONS TO CONTRACT WITH CORE CIVIC TO OBTAIN for 120 prison BEDS AT ITS ARIZONA
5	FACILITY, THEN [THIS ACT] IS VOID.
6	
7	NEW SECTION. SECTION 9. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2023.

- END -



8