## Amendment - 1st Reading/2nd House-blue - Requested by: John Esp - Conference Committee on SB 95

68th Legislature 2023		Drafter: Jaret Coles, 406-444-4022	SB0095.003.004		
1	SENATE BILL NO. 95				
2		INTRODUCED BY B. USHER			
3	BY REQUEST OF THE CRIMINAL JUSTICE OVERSIGHT COUNCIL				
4					
5	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SENTENCING LAWS FOR THEFT, FAILURE TO				
6	RETURN RENTED OR LEASED PERSONAL PROPERTY, ISSUING A BAD CHECK, DECEPTIVE				
7	PRACTICES, AND FORGERY; PROVIDING APPROPRIATIONS; PROVIDING FOR CONTINGENT				
8	VOIDNESS; AND AMENDING SECTIONS 45-2-101, 45-6-301, 45-6-309, 45-6-316, 45-6-317, AND 45-6-325,				
9	MCA <u>; AND PROVIDING AN EFFECTIVE DATE</u> ."				
10					
11	BE 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	the objective standard rather than in the subjective, and unless a different meaning plainly is required, the				
16	following defin	itions apply in this title:			
17	(1)	"Acts" has its usual and ordinary meaning and includes any bodily movement	, any form of		
18	communication, and when relevant, a failure or omission to take action.				
19	(2)	"Administrative proceeding" means a proceeding the outcome of which is req	uired to be based		
20	on a record or documentation prescribed by law or in which a law or a regulation is particularized in its				
21	application 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 beneficiar	y as gain or		
24	advantage, 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	s of voters as a		
26	consequence of public measures that a candidate engages to support or oppose.				
27	(5)	"Bodily injury" means physical pain, illness, or an impairment of physical cond	lition and includes		



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68th	Legislature 2023	Drafter: Jaret Coles, 406-444-4022	SB0095.003.004	
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 CO	NTRACT WITH CORE CIVIC TO OBTAIN for up to 120	prison BEDS AT ITS ARIZONA	
5	FAGILITY, THEN [THIS ACT] IS VOID.			

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7

NEW SECTION. SECTION 9. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2023.

8

- END -

