

HOUSE BILL NO. 589

INTRODUCED BY L. SHELDON-GALLOWAY, C. HINKLE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO GRAND JURIES; PROVIDING THAT A GROUP OF REGISTERED ELECTORS OF A COUNTY MAY PETITION FOR A GRAND JURY TO BE SUMMONED; AMENDING SECTIONS 3-15-601 AND 46-11-301, MCA; AND PROVIDING AN EFFECTIVE DATE AND A CONTINGENT EFFECTIVE DATE."

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

Section 1. Section 3-15-601, MCA, is amended to read:

"3-15-601. When and how drawn and summoned. (1) (a) Whenever in the opinion of the district court judge or as provided in subsection (1)(b) that a grand jury is necessary, the judge shall make an order directing a grand jury to be drawn and summoned to attend before the court. The order must specify the number of jurors to be drawn, which may not be less than 15 or more than 20.

(b) Whenever 1/2 of 1% of the registered electors of a county have signed a petition to summon a grand jury and have submitted the petition signatures to the county election administrator, a grand jury must be summoned and empaneled by the judge of the district court for the county receiving the petition.

(2) The jurors must be drawn from the jury box or the computer database provided for in 3-15-404. If jurors are selected from the computer database, it must be through a computerized random selection process that the judges of the district court of the county have approved in writing as the requirements for the drawing of grand juries. A copy of the latest jury list and a description of the approved computer process employed in the selection must be kept in the office of the clerk of court and must be available for public inspection during normal business hours.

(3) The list of names must be certified and the jurors summoned in the same manner as for trial jurors. The names or numbers of any persons drawn who are not impaneled on the grand jury must be returned to the jury box or reinstated on the computer database."

