

## DRIVING UNDER THE INFLUENCE/GENERALLY

### LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the introduced bill. The other information is available by selecting the Additional Bill Links hyperlink at the top of the bill and then the link “Status of this Bill.”

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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### Background Materials and Research

**Topic Summary:** This topic covers the topic of driving under the influence of alcohol. It does not cover the 24/7 program which is covered in a separate primer.

**Legislative Services Division Materials:** [LJIC, Summary of Final Recommendations Re: SJR 39, Study of DUI Laws](#); [LJIC Table of Bills: Recommendations to the 2011 Legislature](#); [Strategies for Combating Duis: Coordinated Treatment, Community Supervision, and Penalties A Report Related to SJR 39 FOR THE LAW AND JUSTICE INTERIM COMMITTEE](#)

**Other Materials:** [Montana Supreme Court, Summary Statewide DUI Data Report \(January 2008-December 2009\)](#) ; [Montana Supreme Court, Office of the Court Administrator Draft Summary Report on DUI Fines, Fees and Costs](#) ; [Alcohol Related Convictions 2002-2010](#);

### Introduced Legislation

2017

[House Bill 654](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING DRUG AND ALCOHOL TREATMENT PROGRAMS FOR CONVICTED OFFENDERS AT CERTAIN STATE FACILITIES; APPROPRIATING MONEY TO CONTRACT FOR PROVISION OF DRUG AND ALCOHOL TREATMENT PROGRAMS AT THE STATE FACILITIES; REDEFINING TERMS RELATED TO STATE YOUTH CORRECTIONAL FACILITIES AND STATE PRISONS; ALLOWING THE DEPARTMENT OF CORRECTIONS TO HOLD CERTAIN YOUTH AND ADULT OFFENDERS IN THE SAME FACILITY SUBJECT TO CERTAIN CONDITIONS; REQUIRING THE DEPARTMENT TO PRIORITIZE YOUTH NEEDS WHEN

CONSIDERING THE CURRENT USE OF A FACILITY PREVIOUSLY USED TO HOUSE YOUTH; PROVIDING DIRECTION TO THE DEPARTMENT; AMENDING SECTIONS 19-20-101, 20-4-134, 20-4-502, 20-5-420, 20-9-327, 41-5-103, 41-5-106, 41-5-121, 41-5-122, 41-5-206, 41-5-208, 41-5-355, 41-5-1304, 41-5-1416, 41-5-1503, 41-5-1504, 41-5-1512, 41-5-1513, 41-5-1522, 41-5-1523, 41-5-2002, 41-5-2005, 45-5-214, 45-5-501, 45-7-307, 45-8-318, 46-23-201, 52-2-302, 52-5-101, 52-5-108, 52-5-109, 52-5-110, 52-5-111, 52-5-112, 52-5-113, 52-5-114, 52-5-120, 52-5-121, 52-5-126, 52-5-128, 52-5-129, 53-1-104, 53-1-107, 53-1-109, 53-1-201, 53-1-202, 53-1-203, 53-1-207, 53-30-101, 53-30-102, AND 53-30-141, MCA; AND PROVIDING AN EFFECTIVE DATE."

[Senate Bill 280](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DRIVING UNDER THE INFLUENCE; PROVIDING FOR AN INTERLOCK RESTRICTED LICENSE INSTEAD OF LICENSE SUSPENSION IN CERTAIN SITUATIONS FOLLOWING CONVICTION FOR DRIVING UNDER THE INFLUENCE OR VIOLATION OF THE IMPLIED CONSENT LAWS; AMENDING SECTIONS [61-2-107](#), [61-2-108](#), 61-5-205, 61-5-208, 61-5-212, 61-8-402, 61-8-410, 61-8-440, 61-8-442, 61-8-465, 61-8-714, 61-8-732, AND 61-8-734, MCA; AND PROVIDING AN APPLICABILITY DATE.

2015

[House Bill 214](#) -- Missed Deadline for Revenue Bill Transmittal -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO OPERATING CERTAIN VESSELS WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING ENFORCEMENT PROVISIONS; PROVIDING PENALTIES; AMENDING SECTIONS 23-1-122, 23-2-506, 23-2-523, 61-5-205, 61-8-401, 61-8-402, 61-8-404, 61-8-406, 61-8-407, 61-8-409, 61-8-410, 61-8-411, 61-8-442, 61-8-465, 61-8-714, 61-8-723, 61-8-731, 61-8-733, 61-8-734, AND 87-1-506, MCA; AND REPEALING SECTION 23-2-535, MCA."

[Senate Bill](#) – Chapter Number Assigned -- AN ACT CREATING A RESTRICTED-USE DRIVING PERMIT; ALLOWING A PERSON WHO MAY NOT BE ISSUED A DRIVER'S LICENSE UNDER THE INTERSTATE DRIVER LICENSE COMPACT TO PETITION A DISTRICT COURT FOR A RESTRICTED-USE DRIVING PERMIT; PROVIDING ELIGIBILITY REQUIREMENTS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 61-5-105 AND 61-5-212, MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill 357](#) -- Missed Deadline for General Bill Transmittal -- A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A CONVICTION FOR CRIMINAL CHILD ENDANGERMENT COUNTS AS A PRIOR OFFENSE TOWARDS FELONY DRIVING UNDER THE INFLUENCE; AMENDING SECTION 61-8-731, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

[House Bill 111](#) – Chapter Number Assigned -- AN ACT REVISING SENTENCING FOR FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTION 61-8-731, MCA; AND PROVIDING AN APPLICABILITY

[House Bill 178](#) -- Missed Deadline for General Bill Transmittal -- A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE ADMISSIBILITY IN A DUI TRIAL OF EVIDENCE OF A PERSON'S COMMISSION OF OTHER ACTS; AMENDING SECTION 61-8-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

[House Bill 488](#) – Chapter Number Assigned -- AN ACT GENERALLY REVISING LAWS CONCERNING DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; ESTABLISHING A BLOOD-DRAW SEARCH

WARRANT PROCESSING ACCOUNT IN THE STATE SPECIAL REVENUE FUND; PROVIDING FOR THE IMPOSITION OF A FINE UPON A PERSON'S REFUSAL TO SUBMIT TO A BLOOD-DRAW TEST; AUTHORIZING THE DEPARTMENT OF JUSTICE TO ADOPT RULES FOR THE COLLECTION, ADMINISTRATION, AND ACCOUNTABILITY OF BLOOD-DRAW REFUSAL FINES; REVISING LAWS AND PENALTIES RELATED TO THE OFFENSE OF AGGRAVATED DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; INCREASING FINES FOR THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; INCREASING FINES FOR THE OFFENSE OF DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION OR DELTA-9-TETRAHYDROCANNABINOL; REVISING LAWS AND PENALTIES RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; REVISING PENALTIES AND SENTENCING PROVISIONS FOR THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTIONS 46-16-130, 61-5-208, 61-5-231, 61-8-401, 61-8-402, 61-8-403, 61-8-405, 61-8-408, 61-8-409, 61-8-421, 61-8-442, 61-8-465, 61-8-714, 61-8-722, 61-8-731, 61-8-732, 61-8-733, 61-8-734, AND 61-8-741, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill 315](#) -- Missed Deadline for General Bill Transmittal -- A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR FOR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION IS A FELONY; AND AMENDING SECTIONS 61-5-208, 61-8-714, 61-8-722, 61-8-731, AND 61-8-732, MCA."

[Senate Bill 400](#) -- Missed Deadline for Revenue Bill Transmittal -- A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF REFUSAL TO SUBMIT TO A BLOOD OR BREATH TEST FOR THE PURPOSE OF DETERMINING THE PRESENCE OF ALCOHOL OR DRUGS IN THE PERSON'S BODY; PROVIDING PENALTIES; AMENDING SECTION 61-8-402, MCA; AND PROVIDING AN APPLICABILITY DATE."

2013

[House Bill 168](#) -- AN ACT REVISING LAWS RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS TO PROVIDE A LEGAL LIMIT FOR THE AMOUNT OF DELTA-9-TETRAHYDROCANNABINOL ALLOWED BE PRESENT IN A PERSON'S BLOOD WHILE OPERATING A MOTOR VEHICLE; AND AMENDING SECTIONS 45-5-106, 46-16-130, 46-18-201, 46-18-236, 50-46-320, 61-2-302, 61-5-205, 61-5-208, 61-5-212, 61-5-231, 61-8-401, 61-8-402, 61-8-404, 61-8-405, 61-8-408, 61-8-421, 61-8-442, 61-8-465, 61-8-722, 61-8-731, 61-8-732, 61-8-733, 61-8-734, 61-8-741, AND 61-11-101, MCA.

[House Bill 275](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SENTENCING FOR FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AND AMENDING SECTION 61-8-731, MCA."

[House Bill 276](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO IMPOUNDMENT OF LICENSE PLATES AND CONVICTION OF DRIVING UNDER THE INFLUENCE; REQUIRING THE IMPOUNDMENT OF LICENSE PLATES UPON CONVICTION OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR VIOLATION OF THE IMPLIED CONSENT LAW; PROVIDING FOR SPECIAL LICENSE PLATES FOR THOSE CONVICTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR VIOLATION OF THE IMPLIED CONSENT LAW; REQUIRING THE USE OF THE SPECIAL LICENSE PLATES ON ANY VEHICLE OPERATED BY A PERSON CONVICTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR VIOLATION OF THE IMPLIED CONSENT LAW;

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PROVIDING PENALTIES; AMENDING SECTION 61-8-402, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

[House Bill 434](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS REGARDING DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; REQUIRING A REPORT TO THE LAW AND JUSTICE INTERIM COMMITTEE ON THE EFFECTIVENESS OF COUNTY DRINKING AND DRIVING PREVENTION PROGRAMS; REQUIRING PAYMENT OF A MINIMUM FINE OF \$5,000 FOR ANY OFFENSE RELATED TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING THAT ONE-HALF OF THE FINES COLLECTED BE USED TO FUND COUNTY DRINKING AND DRIVING PROGRAMS; AMENDING SECTIONS 3-10-601, 45-5-106, 46-17-303, 46-17-402, 46-18-235, 61-2-107, 61-8-465, 61-8-714, 61-8-722, AND 61-8-731, MCA; AND PROVIDING AN EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE."

[House Bill 487](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A RESTRICTED-USE DRIVING PERMIT; PROVIDING THAT A PERSON WITH A RESTRICTED-USE DRIVING PERMIT MAY DRIVE ONLY FOR ESSENTIAL DRIVING PURPOSES WITHIN THE STATE OF MONTANA; ALLOWING A PERSON WHO IS INELIGIBLE FOR A DRIVER'S LICENSE BECAUSE OF THE WITHDRAWAL OF DRIVING PRIVILEGES DUE TO ALCOHOL-RELATED OR DRUG-RELATED VIOLATIONS IN ANOTHER STATE TO APPLY FOR A RESTRICTED-USE DRIVING PERMIT; REQUIRING A PERSON TO LIVE IN MONTANA AND NOT ACCRUE ANY TRAFFIC VIOLATIONS OR CONVICTIONS IN THE 5-YEAR PERIOD BEFORE APPLYING FOR A RESTRICTED-USE DRIVING PERMIT; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 61-5-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

[House Bill 355](#) -- AN ACT REVISING LAWS REGARDING ALCOHOL- AND DRUG-RELATED DRIVING OFFENSES; RAISING THE 5-YEAR LOOKBACK PROVISION FOR CERTAIN ALCOHOL- AND DRUG-RELATED DRIVING OFFENSES; PROVIDING THAT ALL PRIOR CONVICTIONS ARE COUNTED FOR DETERMINING THE NUMBER OF CONVICTIONS IN THE CASE OF A THIRD OR SUBSEQUENT DUI; AMENDING SECTIONS 61-8-465 AND 61-8-734, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES.

[Senate Bill 367](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; REVISING THE PENALTIES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING THE COURT WITH ALTERNATIVE METHODS FOR MONITORING COMPLIANCE WHEN RECOMMENDING A RESTRICTED OR PROBATIONARY LICENSE; IMPOSING STANDARDS AND REPORTING REQUIREMENTS RELATED TO IGNITION INTERLOCK DEVICES; AMENDING SECTIONS 61-8-410, 61-8-421, 61-8-441, 61-8-465, AND 61-8-733, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

2011

[House Bill 12](#) -- AN ACT REVISING PENALTIES FOR ALCOHOL-RELATED DRIVING OFFENSES BY EXTENDING THE POSSIBLE JAIL TIME FOR CERTAIN MISDEMEANOR OFFENSES; AMENDING SECTIONS 61-8-714 AND 61-8-722, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill 14](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO ALCOHOL-RELATED AND DRUG-RELATED DRIVING OFFENSES; EXTENDING OR ELIMINATING THE 5-YEAR

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LOOKBACK PROVISION FOR CERTAIN ALCOHOL-RELATED AND DRUG-RELATED DRIVING OFFENSES; PROVIDING THAT ALL PRIOR CONVICTIONS ARE COUNTED FOR DETERMINING THE NUMBER OF CONVICTIONS REGARDLESS OF THE NUMBER OF YEARS BETWEEN PRIOR AND CURRENT CONVICTIONS ON THIRD AND SUBSEQUENT OFFENSES; AMENDING SECTIONS 61-5-208 AND 61-8-734, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND AN APPLICABILITY DATE."

[House Bill 67](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT TO STRENGTHEN AND CLARIFY THE CHEMICAL DEPENDENCY ASSESSMENT, EDUCATIONAL COURSE, AND TREATMENT REQUIREMENTS FOR OFFENDERS OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTION 61-8-732, MCA; AND PROVIDING AN APPLICABILITY DATE."

[House Bill 69](#) -- AN ACT ENCOURAGING DUI COURT PARTICIPATION; REVISING PENALTIES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; ALLOWING DUI COURTS TO SUSPEND ALL OR A PORTION OF IMPRISONMENT SENTENCES; DEFINING A DUI COURT; AMENDING SECTIONS 61-8-714 AND 61-8-722, MCA; AND PROVIDING AN APPLICABILITY DATE.

[House Bill 146](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PENALTIES FOR VIOLATIONS OF ALCOHOL-RELATED OR DRUG-RELATED DRIVING OFFENSES; AMENDING SECTIONS 46-1-202, 46-18-501, 46-18-502, 46-23-201, 61-8-401, 61-8-406, 61-8-442, 61-8-714, 61-8-731, 61-8-732, 61-8-733, AND 61-8-734, MCA; REPEALING SECTION 61-8-722, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

[House Bill 253](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A PERSON WHOSE INTOXICATION OR DRUG USE CAUSES AN EMERGENCY INCIDENT TO PAY FOR THE REASONABLE COSTS OF THE EMERGENCY RESPONSE IF THE PERSON IS CONVICTED OF CERTAIN CRIMINAL OFFENSES AS A RESULT OF THE INCIDENT; CLARIFYING WHAT CHARGES CONSTITUTE REASONABLE COSTS; AND LIMITING RECOVERY OF COSTS."

[House Bill 299](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR FOR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION IS A FELONY; PROVIDING FOR ALCOHOL TESTING AS A CONDITION OF CERTAIN SENTENCES; AND AMENDING SECTIONS 61-5-208, 61-8-714, 61-8-722, 61-8-731, 61-8-732, AND 61-8-734, MCA."

[House Bill 631](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING MOTOR VEHICLE LAWS RELATING TO DRIVER'S LICENSE SUSPENSIONS, REVOCATIONS, AND RESTRICTIONS AND DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONTENT; PROVIDING DEFINITIONS; REPEALING THE DRIVER IMPROVEMENT AND REHABILITATION PROGRAM; REVISING LAWS RELATING TO PROBATIONARY LICENSES AND INTERLOCK-RESTRICTED LICENSES; REVISING THE COMMENCEMENT OF DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS; ESTABLISHING A NEW PENALTY RELATED TO OPERATING A MOTOR VEHICLE WITHOUT AN INTERLOCK; EXPANDING THE DEPARTMENT OF JUSTICE'S RULEMAKING AUTHORITY TO INCLUDE THE MONITORING OF PERSONS WITH INTERLOCK-RESTRICTED LICENSES; REVISING COURT REPORTS TO THE DEPARTMENT OF JUSTICE CONCERNING DRIVING PRIVILEGES, PROBATIONARY LICENSES, AND INTERLOCK-

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RESTRICTED LICENSES; REPEALING CERTAIN PROVISIONS RELATED TO VEHICLE FORFEITURE FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION; AMENDING SECTIONS 61-1-101, 61-2-302, 61-5-125, 61-5-134, 61-5-206, 61-5-208, 61-5-212, 61-5-215, 61-8-102, 61-8-401, 61-8-402, 61-8-406, 61-8-410, 61-8-440, 61-8-441, 61-8-731, AND 61-11-101, MCA; AND REPEALING SECTIONS 61-2-301, 61-8-421, 61-8-422, 61-8-442, AND 61-8-733, MCA."

[House Bill 637](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATED TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; RESTRICTING A PERSON CONVICTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION OR WHO REFUSES TO SUBMIT TO A BLOOD OR BREATH TEST WHEN SUSPECTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS TO DRIVING ONLY A MOTOR VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE OR REQUIRING THE PERSON TO PARTICIPATE IN A SOBRIETY PROGRAM IN CERTAIN CASES; INCREASING DRIVER'S LICENSE REINSTATEMENT FEES AND ALLOCATING A PORTION OF THE FEES TO THE DEPARTMENT OF JUSTICE FOR PAYMENT OF COSTS FOR INSTALLING, LEASING, AND MAINTAINING INTERLOCK DEVICES FOR PERSONS DETERMINED TO BE INDIGENT; PROVIDING A PENALTY FOR NONCOMPLIANCE WITH INTERLOCK OR SOBRIETY PROGRAM RESTRICTIONS; ELIMINATING FORFEITURE OF VEHICLE PROVISIONS RELATED TO THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION; AMENDING SECTIONS 61-2-107, 61-5-218, 61-8-401, 61-8-402, 61-8-406, 61-8-422, 61-8-440, AND 61-8-442, MCA; REPEALING SECTIONS 61-8-421 AND 61-8-733, MCA; AND PROVIDING AN EFFECTIVE DATE."

[Senate Bill 15](#) -- AN ACT ESTABLISHING THE OFFENSE OF AGGRAVATED DRIVING UNDER THE INFLUENCE; PROVIDING PENALTIES; AMENDING SECTIONS 61-8-101, 61-8-402, 61-8-404, 61-8-409, 61-8-714, 61-8-722, 61-8-731, AND 61-8-734, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES.

[Senate Bill 42](#) -- AN ACT REVISING THE LAWS RELATING TO ALCOHOL-RELATED OR DRUG-RELATED DRIVING OFFENSES; CLARIFYING THAT SEARCH WARRANTS MAY BE ISSUED FOR BLOOD SAMPLES IF THE OFFENDER HAS A PRIOR REFUSAL OR CONVICTION OR PENDING OFFENSE; REVISING THE IMPLIED CONSENT LAW; PROVIDING THAT A PEACE OFFICER MAY REQUEST A SEARCH WARRANT TO OBTAIN A BLOOD SAMPLE FOR CHEMICAL TESTING; AMENDING SECTIONS 46-5-224, 61-8-402, 61-8-404, 61-8-405, AND 61-8-409, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill 308](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF REFUSAL TO SUBMIT TO A BLOOD OR BREATH TEST FOR THE PURPOSE OF DETERMINING ANY MEASURED AMOUNT OR DETECTED PRESENCE OF ALCOHOL OR DRUGS IN THE PERSON'S BODY WHEN REQUESTED BY A PEACE OFFICER; PROVIDING PENALTIES; AND AMENDING SECTION 61-8-402, MCA."

[House Bill 18](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT ADDING VEHICULAR HOMICIDE WHILE UNDER THE INFLUENCE AS A CRIME FOR WHICH A YOUTH 16 YEARS OF AGE OR OLDER MAY BE CHARGED AS AN ADULT IN DISTRICT COURT; AND AMENDING SECTION 41-5-206, MCA."

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[House Bill 194](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT STATUTORILY IMPOSING ACCOUNTABILITY FOR THE OFFENSES OF VEHICULAR HOMICIDE UNDER THE INFLUENCE AND NEGLIGENT VEHICULAR ASSAULT ON A PASSENGER OF THE VEHICLE UNLESS THE PASSENGER MAKES A TIMELY REPORT OF THE OFFENSE; REQUIRING THE PASSENGER TO REPORT THE OFFENSE TO LAW ENFORCEMENT AND TO THE DEPARTMENT OF JUSTICE; AND AMENDING SECTIONS 45-2-302, 45-5-106, 45-5-205, AND 61-7-109, MCA."

2009

[House Bill 216](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE INCARCERATION TIME FROM 13 MONTHS TO 3 YEARS FOR AN OFFENDER CONVICTED OF A FOURTH OR SUBSEQUENT OFFENSE DUI; AMENDING SECTION 61-8-731, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

[House Bill 376](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COURT ON A FIRST OR SECOND CONVICTION OF AN ALCOHOL-RELATED OR DRUG-RELATED TRAFFIC OFFENSE TO SENTENCE THE OFFENDER TO PERIODIC TESTING FOR ALCOHOL OR DRUGS AS AN ALTERNATIVE TO ANY OTHER SENTENCE; AND AMENDING SECTIONS 61-8-714 AND 61-8-722, MCA."

[House Bill 536](#) -- AN ACT REVISING IGNITION INTERLOCK DEVICE REQUIREMENTS; AMENDING SECTIONS 61-5-208, 61-8-442, AND 61-8-733, MCA; AND PROVIDING AN APPLICABILITY DATE.

[Senate Bill 428](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE ADMISSIBILITY OF EVIDENCE OF SIMILAR CRIMES IN DRIVING UNDER THE INFLUENCE CASES."

[Senate Bill 450](#) -- A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE ALCOHOL AND TOBACCO SCHOLARSHIP PROGRAM; PROVIDING FOR THE FUNDING OF THE PROGRAM THROUGH THE IMPOSITION OF A SURCHARGE ON OFFENSES INVOLVING UNLAWFUL PURCHASE OR POSSESSION OF ALCOHOL OR TOBACCO BY MINORS AND DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTIONS 45-5-624, 45-5-637, 61-8-410, 61-8-714, 61-8-722, AND 61-8-731, MCA; REPEALING SECTION 20-26-601, MCA; AND PROVIDING EFFECTIVE DATES."

[House Bill 533](#) -- AN ACT ADDING VEHICULAR HOMICIDE WHILE UNDER THE INFLUENCE AS A CRIME FOR WHICH A YOUTH 16 YEARS OF AGE OR OLDER MAY BE CHARGED AS AN ADULT IN DISTRICT COURT; AND AMENDING SECTION 41-5-206, MCA.