



Law and Justice Interim Committee
62nd Montana Legislature

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RESEARCH MEMORANDUM

January 31, 2012

TO: Law and Justice Interim Committee Members

FROM: Sheri Scurr, LSD Research Analyst

RE: HB 20 - Allow County Social Host Ordinances

HB 20 was introduced during the 2011 session by Rep. Gordon Hendrick (R - Superior) by request of the Law and Justice Interim Committee (LJIC). Rep. Hendrick was not an LJIC member during the interim, but students from Superior High School had testified at an LJIC hearing and had brought this issue to the committee in the context of the committee's SJR 29 study of Montana's DUI laws. The issue was that counties without self-governing charters could not adopt local ordinances without state authorization. The committee examined several city social host ordinances, requested a preliminary draft, and worked through several decision points about the content of the bill, including questions about whether the bill should set a statewide standard. However, the majority of committee members preferred local control and thought that would be the best approach during the session. The LJIC voted 11-0 to approve the bill (Sen. Esp was absent).

During the session, HB 20 was initially heard in House Local Government. Numerous proponents testified, including many high school students from Superior, Helena, and Polson, Mothers Against Drunk Driving, Lewis and Clark County Commissioners, MACo, a Flathead County police officer, and the Association of Public Health Officials. There were no opponents. The bill was passed unanimously by a voice vote and passed Second Reading in the House 87 to 12.

In the Senate, HB 20 was referred to Senate Local Government. During the hearing, there were numerous proponents as in the House hearing, this time including high school students from Frenchtown and Anaconda. There were no opponents. However, the bill was tabled in committee on a 5-4 vote without discussion.

Due to my workload, I am unable to provide you with a summary of the testimony on the bill. However, the audio/video files of the hearings and House floor action are posted on the Legislative Branch website. Look up bill information for HB 20 in LAWS and click on the link at the top of the bill status page that says "All Available Audio For This Bill". The files that come up do not include executive action. If you want to hear the executive action, go to the main menu on the left of the page and click on "Sessions", "2011", then scroll down to and click on "Committee Minutes". Follow the links to the committee and date of the executive action as shown on the LAWS bill status page.

I have attached extracts of the LJIC's final report from the 2009-2010 interim relevant to the social host ordinance recommendation, a copy of the bill, the history and status of the bill, and the printed minutes, which simply include the name and time stamp for each person who spoke on the bill.

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