

Unofficial Draft Copy-- HJ31-1

As of: 2020/04/13 02:14:21

Drafter: Rachel Weiss, 406-444-5367

67th Legislature

PD 0002

1 **** BILL NO. ****
2 INTRODUCED BY ****
3 BY REQUEST OF THE ****
4

5 **HJ31-1:** A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE STRUCTURE AND
6 STAFFING OF THE BOARD OF CRIME CONTROL; PROVIDING THAT THE BOARD IS ALLOCATED TO
7 THE DEPARTMENT OF JUSTICE FOR ADMINISTRATIVE PURPOSES ONLY; ALLOWING THE BOARD TO
8 HIRE ITS OWN PERSONNEL; ELIMINATING THE CRIME CONTROL BUREAU IN THE DEPARTMENT OF
9 CORRECTIONS; AMENDING SECTION 2-15-2306, MCA; REPEALING SECTION 2-15-2307, MCA;
10 PROVIDING EFFECTIVE DATES."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 2-15-2306, MCA, is amended to read:

15 **"2-15-2306. Board of crime control -- composition -- allocation.** (1) There is a board of crime
16 control.

17 (2) The board is allocated to the department of ~~corrections-justice for administrative purposes only as~~
18 ~~prescribed in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) doesn't not apply.~~

19 (3) The board is composed of 18 members appointed by the governor in accordance with 2-15-124
20 and any special requirements of Title I of the Omnibus Crime Control and Safe Streets Act, as amended. The
21 board must be representative of state and local law enforcement and criminal justice agencies, including
22 agencies directly related to the prevention and control of juvenile delinquency, units of general local
23 government, and public agencies maintaining programs to reduce and control crime and must include
24 representatives of citizens and professional and community organizations, including organizations directly
25 related to delinquency prevention.""

26
27 **NEW SECTION. Section 2. Transition -- implementation procedure -- legislative intent.** (1)

28 Except as provided in subsections (2) and (5), the provisions of 2-15-131 through 2-15-137 govern the transfer

Commented [WR1]: Section 2-15-121(2)(d) requires the department to which an agency is allocated for administrative purposes only to provide the staff for the allocated agency. The language in HJ31-1 allows the Board of Crime Control to hire its own staff.

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1 of the board of crime control and the board's functions from the department of corrections to the department of
2 justice.

3 (2) The department of corrections and the board of crime control shall continue to be colocated in office
4 space leased by the department.

5 (3) The staff of the board of crime control, the department of justice, and the department of corrections
6 shall develop a transition plan to allow for the least impactful transition of the board to the department of justice.
7 The plan must be presented to the law and justice interim committee no later than June 30, 2021.

8 (4) From July 1, 2021, to December 31, 2021, the staff of the board of crime control, in collaboration
9 with the department of justice, shall implement the plan to fully transition the board to the department of justice
10 by January 1, 2022, in a manner that ensures the least amount of:

11 (a) delay in grant recipients receiving funds;

12 (b) impact in reporting for affected grant recipients; and

13 (c) impact for transitioning grants between DUNS numbers with the federal government.

14 (5) To the extent transferring a grant from the department of corrections to the department of justice
15 jeopardizes the grant, as determined by the budget director, the grant may not be transferred to the department
16 of justice.

17 (6) It is the intent of the legislature intends that the board of crime control shall operate within its current
18 level of funding during the transition. Within those funds, the board may add or eliminate staff positions as the
19 board determines to be necessary, subject to the provisions of 2-15-131.

20 (7) The department of justice shall report at least three times to each of the following committees during
21 the biennium beginning July 1, 2021, on the progress of the transition implementation:

22 (a) the legislative finance committee;

23 (b) the legislative audit committee;

24 (c) the law and justice interim committee; and

25 (d) the local government interim committee.

26

27 **NEW SECTION. Section 3. {standard} Repealer.** The following sections of the Montana Code

28 Annotated are repealed:

Commented [WR2]: This was the Legislative Finance Committee in SB 95.

Commented [WR3]: Intent language drafted based on LC 910 (2017) and HB 230 (2011).

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1 2-15-2307. Crime control bureau.

2

3 **NEW SECTION. Section 4. Directions to code commissioner.** (1) Section 2-15-2306 is intended to
4 be renumbered and codified as an integral part of Title 2, chapter 15, part 20.

5 (2) The code commissioner is instructed to change internal references within and to the renumbered
6 sections enacted or amended by the 65th legislature, to reflect the new section numbers assigned to sections
7 pursuant to this section.

8

9 **NEW SECTION. Section 5. Effective dates.** (1) Except as provided in subsection (2), [this act] is
10 effective January 1, 2022

11 (2) [Section 1 and [this section]] are effective on passage and approval.

12

13

- END -