

1 **** BILL NO. ****

2 INTRODUCED BY ****

3 BY REQUEST OF THE ****

4
5 SJ 19-2B A BILL FOR AN ACT ENTITLED: "THIS DRAFT SHOWS THE ADDITIONS NEEDED TO HJ -19-2A
6 (ELIMINATING THE VIOLENT OFFENDER REGISTRY) VACATE CONVICTIONS FOR FAILURE TO
7 REGISTER AFTER 10 YEARS; AMENDING SECTION 46-23-507, MCA."

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

10 **Section 1.** Section 46-23-507, MCA, is amended to read:

11 **"46-23-507. Penalty. (1)** A sexual or violent offender who knowingly fails to register, verify
12 registration, or keep registration current under this part may be sentenced to a term of imprisonment of not
13 more than 5 years or may be fined not more than \$10,000, or both.

14 (2) For violent offenders who were convicted before the effective date of [this act], eliminating the
15 violent offender registry, the sentencing court shall on its own motion vacate the conviction 10 years from the
16 date of conviction.

17 (a) When the court vacates a conviction under this section, the court shall:

18 (i) send a copy of the order vacating the conviction to the prosecutor and the department of justice; and

19 (ii) order the expungement of all records of arrest, investigation, and detention, and any court
20 proceedings that may be held by the court, the investigating law enforcement agency; or the department of
21 justice related to the conviction.

22 (3) The prosecutor and the department of justice shall inform the person whose conviction has been
23 vacated under this section that the conviction is vacated."

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25 - END -