

Unofficial Draft Copy - HJ48-1

As of: 2022/08/26 02:37:47

Drafter: Erin Sullivan, 406-444-3594

67th Legislature

PD 0002

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

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE CRIMINAL
6 INTELLIGENCE INFORMATION ADVISORY COUNCIL; PROVIDING FOR TERM LIMITS FOR LEGISLATIVE
7 MEMBERS; CLARIFYING REIMBURSEMENT FOR ADVISORY COUNCIL MEMBERS; AMENDING SECTION
8 44-5-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11
12 **Section 1.** Section 44-5-501, MCA, is amended to read:

13 **"44-5-501. Creation of criminal intelligence information section -- advisory council.** (1) The
14 department of justice may create a criminal intelligence information section.

15 (2) ~~(a)~~ If a section is created under subsection (1), the attorney general shall establish a criminal
16 intelligence information advisory council in accordance with 2-15-122.

17 (3) (a) The advisory council shall consist of seven members. Except as provided in subsections
18 (3)(a)(v) and (3)(a)(vi), the members must be appointed by the attorney general. The members shall consist of
19 the following:

20 (i) ~~consisting of~~ one representative from the Montana chiefs of police association;

21 (ii) one representative from the Montana sheriffs and peace officers association;

22 (iii) one representative from the Montana county ~~attorneys attorneys'~~ association;

23 (iv) one member of the department of justice;

24 (v) a ~~one~~ member of the ~~judiciary committee of either the house of representatives or the senate~~
25 senate judiciary committee, appointed by the committee on committees;

26 (vi) one member of the house judiciary committee, appointed by the speaker of the house; and

27 (vii) a citizen at large.

28 (b) The representatives from the Montana chiefs of police association and the Montana sheriffs and

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1 peace officers association must be sworn officers of a participating agency.

2 (c) The department of justice member may not be an employee of the department involved in criminal
3 intelligence or criminal investigation work.

4 (d) Members of the advisory council serve at the pleasure of the attorney general.

5 ~~(4) The two advisory council members who are also legislators shall serve terms of 4 years and may~~
6 ~~be reappointed. A term begins on April 1 of odd-numbered years and ends on March 31. The committee on~~
7 ~~committees or speaker of the house shall appoint a new legislative advisory council member on or before~~
8 ~~February 1 of the odd-numbered year that coincides with the expiration of the current legislative advisory~~
9 ~~council member's term. The terms of the legislative advisory council members must be staggered.~~

10 ~~(e)(5) The department shall provide staff and support services for the advisory council. The advisory~~
11 ~~council is attached to the department of justice for administrative purposes only, and members are entitled to~~
12 ~~reimbursement for travel expenses as provided in 2-18-501 through 2-18-503."~~

13
14 **NEW SECTION. Section 2. {standard} Effective date.** [This act] is effective on passage and
15 approval.

16 - END -

Commented [ES1]: Amendments to this section:

Change the term for legislative members from 2 years to 4 years;
Clarify that legislative members may be reappointed;
Clarify when a term begins and ends; and
Provides a timeline for appointing or reappointing a legislative member of the advisory council.