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Economic Affairs Interim Committee

67th Montana Legislature

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June 23, 2022

Dear Members of the Law and Justice Interim Committee:

The Economic Affairs Interim Committee (EAIC) was assigned [Senate Joint Resolution 31](#), a study of the implementation of Montana's recreational marijuana program. The EAIC reviewed the implementation bill for the program passed by the 2021 Legislature and is proposing amendments to the marijuana statutes in a committee bill.

Sections 87 through 91 of House Bill 701 amend sections within Title 61, chapter 8, part 4, MCA, primarily to add oral fluid drug screening to various listings of appropriate and admissible testing for the presence and concentration of drugs and alcohol. However, Senate Bill 365 (2021) repealed Title 61, chapter 8, part 4, MCA, in its entirety as part of a general revision and reorganization of Montana's driving under the influence (DUI) laws, so these sections were never codified.

The EAIC voted at the June 14, 2022 meeting not to include amendments to Title 61 in its committee bill, and recommends either the LJIC or Department of Justice sponsor a bill in the 2023 session to address the issue.

Sincerely,

/s/

Sen. Kenneth Bogner, Chair

/s/

Rep. Derek Harvey, Vice-Chair

Enclosed:

Memo from EAIC staff on Title 61 Repeal Analysis

Relevant sections from House Bill 701

cc

Austin Knudson, Attorney General, Department of Justice