

1 HOUSE BILL NO. 40

2 INTRODUCED BY K. ABBOTT

3 BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CONFIDENTIAL CRIMINAL JUSTICE INFORMATION
6 RELATING TO A MEMBER OF THE NATIONAL GUARD TO BE DISSEMINATED TO THE ADJUTANT
7 GENERAL OR THE ADJUTANT GENERAL'S DESIGNEE UNDER CERTAIN CIRCUMSTANCES; AND
8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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12 NEW SECTION. **Section 1. Access to confidential criminal justice information.** The adjutant
13 general or the adjutant general's designee may request from a prosecutor or a law enforcement agency
14 confidential criminal justice information, as defined in 44-5-103, relating to a member of the national guard for use
15 in an administrative action. If the prosecutor or law enforcement agency determines that dissemination of the
16 requested confidential criminal justice information would not jeopardize a pending investigation or other criminal
17 proceeding, the prosecutor or the investigating law enforcement agency may disseminate the information to the
18 adjutant general or the adjutant general's designee.

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20 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
21 integral part of Title 10, chapter 1, part 1, and the provisions of Title 10, chapter 1, part 1, apply to [section 1].

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23 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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