



AN ACT ALLOWING CONFIDENTIAL CRIMINAL JUSTICE INFORMATION RELATING TO A MEMBER OF THE NATIONAL GUARD TO BE DISSEMINATED TO THE ADJUTANT GENERAL OR THE ADJUTANT GENERAL'S DESIGNEE UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

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

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

Section 3. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0040, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2017.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2017.

HOUSE BILL NO. 40
INTRODUCED BY K. ABBOTT
BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

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