



AN ACT MODIFYING WHEN AN ORGANIZED MILITIA MEMBER OR INDIVIDUAL LAWFULLY CALLED, ORDERED, OR DRAFTED FOR DUTY IN THE ORGANIZED MILITIA MAY BE TURNED OVER TO CIVIL AUTHORITIES FOR TRIAL; ALLOWING THE ADJUTANT GENERAL OR THE ADJUTANT GENERAL'S DESIGNEE TO ORDER A SUSPECT TO BE TURNED OVER TO CIVIL AUTHORITIES FOR CHARGING AND TRIAL; AND AMENDING SECTION 10-1-408, MCA.

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

Section 1. Section 10-1-408, MCA, is amended to read:

"10-1-408. Trial by civil authority -- when authorized. In a case where the offense ~~charged under~~ investigation is also an offense against civil authority, the ~~convening authority of a court-martial may, upon request of the civil authorities,~~ adjutant general or the adjutant general's designee may order the person charged suspect to be turned over to the appropriate civil authorities of this state for charging and trial."

- END -

I hereby certify that the within bill,
HB 0079, 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. 79
INTRODUCED BY W. CURDY
BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

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