

HOUSE BILL NO. 199

INTRODUCED BY B. USHER

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT BULLYING IS A CRIME; PROVIDING A MISDEMEANOR PENALTY FOR BULLYING; PROVIDING A FELONY PENALTY FOR BULLYING THAT RESULTS IN DEATH OR SERIOUS BODILY INJURY TO THE STUDENT BEING BULLIED; AND AMENDING SECTION 20-5-209, MCA."

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

Section 1. Section 20-5-209, MCA, is amended to read:

"20-5-209. Bullying of student prohibited -- criminal penalties. (1) Bullying of a student enrolled in a public K-12 school by another student, a former student, a parent or guardian, or an employee is prohibited.

(2) Except as provided in subsection (3), violation of this section is a misdemeanor and is punishable by a fine not to exceed \$500, imprisonment in a county jail or placement in an appropriate youth detention facility for a term not to exceed 1 year, or both.

(3) If violation of this section results in the death of or serious bodily injury to the student being bullied, the violation is a felony and is punishable by a fine not to exceed \$10,000, imprisonment for a term not to exceed 5 years, or both."

- END -