

**MINUTES**  
**MONTANA HOUSE OF REPRESENTATIVES**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (H) JUDICIARY**

**Call to Order:** Chair Amy Regier-R, on February 27, 2023 at 7:01 AM, in 137

**ROLL CALL**

**Members Present:** Rep. Amy Regier, Chair (R)  
Rep. Laurie Bishop, Vice Chair (D)  
Rep. Lee Deming (R)  
Rep. Neil Duram (R)  
Rep. Tom France (D)  
Rep. Donavon Hawk (D)  
Rep. Jedediah Hinkle (R)  
Rep. SJ Howell (D)  
Rep. Greg Kmetz (R)  
Rep. Casey Knudsen (R)  
Rep. Braxton Mitchell (R)  
Rep. Wayne Rusk (R)  
Rep. Lola Sheldon-Galloway (R)  
Rep. Zoey Zephyr (D)

**Members Excused:** Rep. Kim Abbott (D)  
Rep. Jennifer Carlson (R)  
Rep. Jodee Etchart (R)  
Rep. Caleb Hinkle (R)  
Rep. Brandon Ler (R)  
Rep. Laura Smith (D)

**Staff Present:** Jamie Van Valkenburg, Secretary  
Rachel Weiss, Research Analyst

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted:

HB 625 02/20/2023  
HB 658 02/20/2023  
HB 673 02/21/2023  
HB 676 02/21/2023

HB 687 02/21/2023  
HB 689 02/21/2023  
HB 690 02/21/2023  
HB 695 02/21/2023  
HB 697 02/21/2023  
HB 709 02/21/2023  
HB 721 02/22/2023  
HB 735 02/22/2023  
HB 762 02/22/2023  
HB 763 02/22/2023

Executive Action:

HB 763 TO TABLE  
HB 673 TO TABLE  
HB 594 TO TABLE  
HB 604 DO PASS AS AMENDED  
HB 629 DO PASS AS AMENDED  
HB 631 DO PASS AS AMENDED  
HB 661 DO PASS AS AMENDED  
HB 681 DO PASS  
HB 682 DO PASS AS AMENDED  
HB 684 DO PASS  
HB 692 DO PASS  
HB 693 DO PASS

**HEARING ON HB 709 - Create and share publicly a district court/judge performance indicator display**

**Opening Statement:**

07:02:15 Rep. Jane Gillette (R), HD 64, opened the hearing on HB 709, Create and share publicly a district court/judge performance indicator display.

**Proponent Testimony:**

07:10:11 Bruce Spencer, State Bar of Montana

**Opponent Testimony:**

None

**Informational Witness Testimony:**

07:13:59 Beth McLaughlin, Supreme Court Administration

**Closing Statement:**

07:14:11 Rep. Jane Gillette (R), HD 64, closed the hearing on HB 709.

**HEARING ON HB 763 - Revise laws related to state settlement money**

**Opening Statement:**

07:15:32 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 763, Revise laws related to state settlement money.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Questions from Committee:**

07:16:38 Rep. Casey Knudsen

**Closing Statement:**

07:16:47 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 763.

**EXECUTIVE ACTION ON HB 763 - Revise laws related to state settlement money**

07:16:38        **Motion:** Rep. Casey Knudsen moved that **HB 763 TO TABLE.**

**Vote:** Motion carried unanimously by voice vote.

**HEARING ON HB 695 - Revise TRO standard for suits against the state and subdivisions of government**

**Opening Statement:**

07:17:34        Rep. Bill Mercer (R), HD 46, opened the hearing on HB 695, Revise TRO standard for suits against the state and subdivisions of government.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Informational Witness Testimony:**

07:19:28        Brent Mead, Department of Justice

**Closing Statement:**

07:23:20        Rep. Bill Mercer (R), HD 46, closed the hearing on HB 695.

**HEARING ON HB 697 - Generally revise laws related to the POST Council**

**Opening Statement:**

07:23:48        Rep. Bill Mercer (R), HD 46, opened the hearing on HB 697, Generally revise laws related to the POST Council.

**Proponent Testimony:**

07:28:50        Brian Thompson, Montana Sheriffs and Peace Officers Association

07:31:44        Larry Nielsen, Montana Federation of Public Employees

**Opponent Testimony:**

07:32:44        Kristen Juras, Lieutenant Governor

07:34:56 Shelby DeMars, Montana Police Protective Association

07:37:58 Jesse Slaughter, Cascade County Sherriff

07:41:11 Will Selph, Department of Justice

**Informational Witness Testimony:**

07:43:03 Natalia Bowser, Board of Crime Control

07:43:23 Leo Dutton, Montana Board of Crime Control

07:47:48 Nate Thomas, Department of Justice

**Closing Statement:**

07:56:14 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 697.

**HEARING ON HB 658 - Generally revise card transaction fees**

**Opening Statement:**

07:57:00 Rep. Ron Marshall (R), HD 87, opened the hearing on HB 658, Generally revise card transaction fees.

**Proponent Testimony:**

07:58:21 Brian Thompson, Montana Collectors Association

08:00:44 Michael Moore, Montana Collectors Association

08:03:40 John Cozby, Montana Collectors Association

08:04:52 Erica DeVries, Collection Bureau Services

08:06:10 Jennifer Whipple, Collection Bureau Services

08:08:41 Brian Brown, Self

08:10:24 Akvilina Rieger, CB1 Collections Inc.

**Opponent Testimony:**

None

**Informational Witness Testimony:**

08:34:23 Martin Smith, Felt Martin PC Law Firm

**Closing Statement:**

08:19:02 Rep. Ron Marshall (R), HD 87, closed the hearing on HB 658.

**HEARING ON HB 673 - Revise laws related to publishing of marijuana-related misdemeanors**

**Opening Statement:**

08:20:23 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 673, Revise laws related to publishing of marijuana-related misdemeanors.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Closing Statement:**

08:21:09 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 673.

**EXECUTIVE ACTION ON HB 673 - Revise laws related to publishing of marijuana-related misdemeanors**

08:23:19 **Motion:** Rep. Casey Knudsen moved that **HB 673 TO TABLE.**

**Vote:** Motion carried unanimously by voice vote.

**HEARING ON HB 762 - Revise laws concerning the best interests of a child**

**Opening Statement:**

08:24:22 Rep. Caleb Hinkle (R), HD 68, opened the hearing on HB 762, Revise laws concerning the best interests of a child.

**Proponent Testimony:**

08:26:19            Garrett Bacon, Self  
08:26:38            Audrey Walleser, Self

**Opponent Testimony:**

08:28:19            Lionel Tapia, Montana Chapter of American Academy of Pediatrics  
(MCAAP)  
08:29:51            Brandi Ries, Ries Law Group  
08:31:10            Justin Cole, Montana Medical Association (MMA)

**Informational Witness Testimony:**

None

**Questions from Committee:**

08:32:30            Rep. Laura Smith  
08:32:40            Rep. Caleb Hinkle  
08:33:50            Rep. Laurie Bishop  
08:34:03            Brandi Ries, Ries Law Group  
08:38:25            Rep. Jedediah Hinkle  
08:38:30            Lionel Tapia, MCAAP

**Closing Statement:**

08:42:36            Rep. Caleb Hinkle (R), HD 68, closed the hearing on HB 762.

**HEARING ON HB 721 - Restrict unborn child from dismemberment abortion**

**Opening Statement:**

08:43:32            Rep. Matt Regier (R), HD 4, opened the hearing on HB 721, Restrict  
unborn child from dismemberment abortion.

**Proponent Testimony:**

08:48:30            Jeff Laszloffy, Montana Family Foundation (MFF)

08:50:53 Garrett Bacon, Self  
08:51:44 Tanaia Wise, Abort Ignorance Montana  
08:53:30 Gail Asbury, Self  
08:56:16 Donna Elford, Self  
08:56:57 Robin Sertell, Self  
08:59:02 Sheron Neson, Self  
09:01:08 Pamela Rainy, Self  
09:02:08 Jessie Browning, Self  
09:03:32 Deborah Tilden, Self  
09:05:06 Denise Burke, Alliance Defending Freedom  
09:06:24 Cindy Roscoe, Self  
09:06:42 Elke West, Self

**Opponent Testimony:**

09:08:23 Quinn Leighton, Planned Parenthood Advocates of Montana  
09:10:05 Robin Turner, American Civil Liberties Union of Montana, Coalition Against Domestic and Sexual Violence  
09:12:04 Elaine Fraticelli, Montana Democratic Socialists of America  
09:13:17 Julia Maxon, Montana Women Vote  
09:14:16 Anne Angus, Self  
09:15:14 Robyn Morrison, League of Women Voters  
09:16:34 Nicole Smith, Blue Mountain Clinic  
09:17:51 Justin Cole, Montana Medical Association  
09:18:33 Hillary-Anne Crosby, Self  
09:19:36 Jan Strout, National Organization for Women  
09:21:06 Clare Kearns, Self

**Informational Witness Testimony:**

None

**Closing Statement:**

09:29:00 Rep. Matt Regier (R), HD 4, closed the hearing on HB 721.

**HEARING ON HB 625 - Infant safety and care act**

**Opening Statement:**

09:29:54 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 625, Infant safety and care act.

**Proponent Testimony:**

09:32:00 Danielle Pimentel, Americans United for Life

09:34:55 Tanaia Wise, Abort Ignorance Montana

09:36:46 Garrett Bacon, Self

09:37:26 Robin Sertell, Self

09:39:36 Sharon Nason, Self

[EXHIBIT\(230227JUH1\)](#)

09:42:07 Gail Asbury, Self

09:43:34 Jeff Laszloffy, Montana Family Foundation

09:45:07 Denise Burke, Self

09:46:05 Elke West, Self

**Opponent Testimony:**

09:47:41 Robin Turner, American Civil Liberties Union of Montana

09:49:42 Quinn Leighton, Planned Parenthood Advocates of Montana

09:51:20 Elaine Fraticelli, Democratic Socialists of America

09:52:58 Julia Maxon, Montana Women Vote

09:53:43 Jenna Martin, Montana National Organization for Women  
09:54:52 Melody Cunningham, Montana Chapter of American Academy of Pediatrics (MCAAP)  
09:56:16 Nicole Smith, Blue Mountain Clinic  
09:57:24 Robyn Morrison, League of Women Voters of Montana  
09:58:43 Justin Cole, Montana Medical Association

**Informational Witness Testimony:**

None

**Closing Statement:**

10:09:42 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 625.

**HEARING ON HB 676 - Revise laws to clarify fundamental parental rights**

**Opening Statement:**

10:14:39 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 676, Revise laws to clarify fundamental parental rights.

**Proponent Testimony:**

10:18:23 Alba Pimentel, Moms for Liberty  
10:19:43 Jessie Browning, Moms for Liberty  
10:21:02 Matt Sharp, Alliance Defending Freedom  
10:22:11 Jenna McKinney, Office of Public Instruction  
10:23:17 Jeff Laszloffy, Montana Family Foundation

**Opponent Testimony:**

10:25:30 Rob Watson, School Administrators of Montana

[EXHIBIT\(230227JUH2\)](#)

10:28:29 Debarah Silk, Montana School Board Association, Coalition of Advocates for Montana Public Schools

10:29:51 Jenny Murnan-Butcher, Montanans Organized for Education  
10:31:58 Robin Turner, Montana Coalition Against Domestic and Sexual Violence  
10:34:45 Quinn Leighton, Planned Parenthood Advocates of Montana  
10:35:35 Melody Cunningham, Self  
10:36:41 Cherilyn DeVries, Self

**Informational Witness Testimony:**

None

**Closing Statement:**

10:55:29 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 676.

**HEARING ON HB 735 - Generally revise DNA collection and testing laws**

**Opening Statement:**

10:57:38 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 735, Generally revise DNA collection and testing laws.

**Proponent Testimony:**

11:02:49 Ashley Spence, DNA Justice Project  
11:05:13 Jesse Slaughter, Cascade County Sheriff  
11:06:48 Josh Racki, Cascade County Attorney's Office

**Opponent Testimony:**

11:08:08 Maggie Bornstein, American Civil Liberty Union of Montana (ACLUM)

**Informational Witness Testimony:**

None

**Closing Statement:**

11:14:56 Rep. Steven Galloway (R), HD 24, closed the hearing on HB 735.

**HEARING ON HB 687 - Revise laws relating to perjury and false swearing**

**Opening Statement:**

11:20:05 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 687, Revise laws relating to perjury and false swearing.

**Proponent Testimony:**

11:21:25 Bart Crabtree, Montana Citizens Counsel on Judicial Accountability

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Closing Statement:**

11:23:47 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 687.

**HEARING ON HB 689 - Revise probation/parole supervision laws**

**Opening Statement:**

11:24:19 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 689, Revise probation/parole supervision laws.

**Proponent Testimony:**

11:29:34 Joshua Racki, Cascade County Attorney's Office

**Opponent Testimony:**

11:25:54 Maggie Bornstein, American Civil Liberties Union Montana (ACLU)

11:27:37 Benny Lacayo, Self

11:32:55 Kim Lahiff, Public Safety Division for the Department of Corrections

**Informational Witness Testimony:**

None

**Closing Statement:**

11:39:48 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 689.

**HEARING ON HB 690 - Generally revise pupil data privacy protections**

**Opening Statement:**

11:40:37 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 690, Generally revise pupil data privacy protections.

**Proponent Testimony:**

11:44:34 EJ Redding, Security Industry Association

11:45:24 Rob Watson, School Administrators of Montana (SAM)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Closing Statement:**

11:47:28 Rep. Katie Sullivan (D), HD 89, closed the hearing on HB 690.

11:48:10 **Recessed**

12:22:30 **Reconvened**

**EXECUTIVE ACTION ON HB 594 - Prohibit sales and use of certain autonomous robots**

12:22:58 **Motion:** Rep. Brandon Ler moved that **HB 594 DO PASS.**

**Vote:** Motion failed 14 - 5 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, voting yes.

12:25:52 **Motion:** Rep. Brandon Ler moved that **HB 594 BE TABLED.**

**Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 604 - Sheriffs first bill**

12:26:05 **Motion:** Rep. Brandon Ler moved that **HB 604 DO PASS.**

12:26:40 **Motion:** Rep. Brandon Ler moved that **HB 604 BE AMENDED.**

**Vote:** Motion carried 12 - 7 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Rusk, Rep. Smith, Rep. Zephyr, voting no.

12:29:33 **Motion:** Rep. Brandon Ler moved that **HB 604 DO PASS AS AMENDED.**

**Vote:** Motion carried 12 - 7 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Rusk, Rep. Smith, Rep. Zephyr, voting no.

**EXECUTIVE ACTION ON HB 629 - Provide for attorney fees and costs in certain justifiable use of force cases**

12:30:39 **Motion:** Rep. Brandon Ler moved that **HB 629 DO PASS.**

12:31:18 **Motion:** Rep. Brandon Ler moved that **HB 629 BE AMENDED.**

**Vote:** Motion carried 16 - 3 by roll call vote with Rep. Hinkle, Rep. Ler, Rep. Mitchell, voting no.

12:33:31 **Motion:** Rep. Brandon Ler moved that **HB 629 DO PASS AS AMENDED.**

**Vote:** Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

**EXECUTIVE ACTION ON HB 631 - Bill for gun owners access to justice act**

12:34:40 **Motion:** Rep. Brandon Ler moved that **HB 631 DO PASS.**

12:34:57 **Motion:** Rep. Brandon Ler moved that **HB 631 BE AMENDED.**

**Vote:** Motion carried 15 - 4 by roll call vote with Rep. Bishop, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

12:38:22 **Motion:** Rep. Brandon Ler moved that **HB 631 DO PASS AS AMENDED.**

**Vote:** Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

**EXECUTIVE ACTION ON HB 661 - Allowing court to consider dangerousness/lethality assessment**

12:39:42 **Motion:** Rep. Brandon Ler moved that **HB 661 DO PASS.**

12:40:05 **Motion:** Rep. Brandon Ler moved that **HB 661 BE AMENDED.**

**Vote:** Motion carried unanimously by voice vote.

12:41:33 **Motion:** Rep. Brandon Ler moved that **HB 661 DO PASS AS AMENDED.**

**Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 681 - Revise laws related to sample collection to test for driver intoxication**

12:42:22        **Motion:** Rep. Brandon Ler moved that **HB 681 DO PASS.**

**Vote:** Motion carried 10 - 9 by roll call vote with Rep. Etchart, Rep. Hawk, Rep. Hinkle, Rep. Howell, Rep. Knudsen, Rep. Ler, Rep. Mitchell, Rep. Sheldon-Galloway, Rep. Zephyr, voting no.  
Rep. Hinkle, By Proxy

**EXECUTIVE ACTION ON HB 682 - Revise laws related to collection of genetic material for newborn screenings**

12:44:08        **Motion:** Rep. Brandon Ler moved that **HB 682 DO PASS.**

12:44:17        **Motion:** Rep. Brandon Ler moved that **HB 682 BE AMENDED.**

**Vote:** Motion carried unanimously by voice vote.

12:45:17        **Motion:** Rep. Brandon Ler moved that **HB 682 DO PASS AS AMENDED.**

**Vote:** Motion carried 18 - 1 by roll call vote with Rep. Duram, voting no.

**EXECUTIVE ACTION ON HB 684 - Prohibit use of vaccination status in certain administrative/legal proceedings**

12:46:55        **Motion:** Rep. Brandon Ler moved that **HB 684 DO PASS.**

**Vote:** Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

**EXECUTIVE ACTION ON HB 692 - Revising laws related to appointment of counsel**

12:48:31        **Motion:** Rep. Brandon Ler moved that **HB 692 DO PASS.**

**Vote:** Motion carried 12 - 7 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Hinkle, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

**EXECUTIVE ACTION ON HB 693 - Clarify disclosure of public information that may be involved in litigation**

12:51:37        **Motion:** Rep. Brandon Ler moved that **HB 693 DO PASS.**

**Vote:** Motion carried 18 - 1 by roll call vote with Rep. Zephyr, voting no.

**ADJOURNMENT**

Adjournment: 12:54:00

---

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230227JUHaad\)](#)