

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

**Call to Order:** Chair Brandon Ler-R, on March 25, 2023 at 9:39 AM, in 137

**ROLL CALL**

**Members Present:** Rep. Amy Regier, Chair (R)  
Rep. Laurie Bishop, Vice Chair (D)  
Rep. Brandon Ler, Vice Chair (R)  
Rep. Jennifer Carlson (R)  
Rep. Lee Deming (R)  
Rep. Neil Duram (R)  
Rep. Jodee Etchart (R)  
Rep. Tom France (D)  
Rep. Caleb Hinkle (R)  
Rep. Jedediah Hinkle (R)  
Rep. Greg Kmetz (R)  
Rep. Braxton Mitchell (R)  
Rep. Wayne Rusk (R)  
Rep. Laura Smith (D)  
Rep. Zooey Zephyr (D)

**Members Excused:** Rep. Kim Abbott (D)  
Rep. Donavon Hawk (D)  
Rep. SJ Howell (D)  
Rep. Casey Knudsen (R)  
Rep. Lola Sheldon-Galloway (R)

**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:

Executive Action:

SB 68  
SB 89

SB 95  
SB 169 BE CONCURRED IN AS  
AMENDED  
SB 171  
SB 182  
SB 345  
SJ 15 BE CONCURRED IN

**EXECUTIVE ACTION ON SB 68 - Revise laws related to coroner inquests for DOC facilities**

09:41:15        **Motion:** Rep. Brandon Ler moved that **SB 68 BE CONCURRED IN.**

**Discussion:**

09:41:43        Rep. Zooey Zephyr

09:42:22        Rep. Neil Duram

09:42:49        Rep. Jennifer Carlson

09:43:14        Rep. Zooey Zephyr

09:41:15        **Vote:** Motion carried 16 - 3 by roll call vote with Rep. Hawk, Rep. Howell, Rep. Zephyr, voting no.  
Rep. Hawk, Rep. Howell, By Proxy

09:41:15        **Carrier Assigned:** Rep. Neil Duram

**EXECUTIVE ACTION ON SB 89 - Create pretrial diversion pilot program**

09:44:40        **Motion:** Rep. Brandon Ler moved that **SB 89 BE CONCURRED IN.**

09:45:25        **Motion:** Rep. Brandon Ler moved that **SB 89 BE AMENDED.**

**Discussion:**

09:46:44        Vice Chair Laurie Bishop

09:47:19        Rep. Tom France

09:48:10        Rep. Greg Kmetz

09:48:26        Rep. Jedediah Hinkle

09:49:28        Vice Chair Brandon Ler

09:49:49        Rep. Laura Smith

09:50:24        Vice Chair Brandon Ler

09:45:25        **Vote:** Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.  
Rep. Hawk, Rep. Howell, By Proxy

09:52:17 **Motion:** Rep. Brandon Ler moved that **SB 89 BE CONCURRED IN AS AMENDED.**

**Discussion:**

09:52:24 Vice Chair Laurie Bishop

09:52:17 **Vote:** Motion carried 12 - 7 by roll call vote with Rep. Bishop, Rep. France, Rep. Knudsen, Rep. Ler, Rep. Mitchell, Rep. Rusk, Rep. Sheldon-Galloway, voting no.  
Rep. Knudsen, Rep. Sheldon-Galloway, By Proxy

09:52:17 **Carrier Assigned:** Rep. Jennifer Carlson

**EXECUTIVE ACTION ON SB 95 - Generally revise theft laws**

09:54:18 **Motion:** Rep. Brandon Ler moved that **SB 95 BE CONCURRED IN.**

09:54:18 **Vote:** Motion carried 11 - 8 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Hinkle, Rep. Howell, Rep. Knudsen, Rep. Smith, Rep. Zephyr, voting no.  
Rep. Hawk, Rep. Howell, Rep. Knudsen, By Proxy

09:54:18 **Carrier Assigned:** Rep. Wayne Rusk

**EXECUTIVE ACTION ON SB 169 - Generally revise punitive damage laws**

09:55:38 **Motion:** Rep. Brandon Ler moved that **SB 169 BE CONCURRED IN.**

09:56:16 **Motion:** Rep. Brandon Ler moved that **SB 169 BE AMENDED.**

09:56:16 **Vote:** Motion carried 17 - 2 by roll call vote with Rep. Duram, Rep. Zephyr, voting no.

09:58:23 **Motion:** Rep. Brandon Ler moved that **SB 169 BE CONCURRED IN AS AMENDED.**

09:58:23 **Vote:** Motion carried 12 - 7 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Knudsen, Rep. Smith, Rep. Zephyr, voting no.  
Rep. Hawk, Rep. Howell, Rep. Knudsen, By Proxy

**EXECUTIVE ACTION ON SB 171 - Provide for distribution of certain property/funds after inmate dies in custody**

10:01:37 **Motion:** Rep. Brandon Ler moved that **SB 171 BE CONCURRED IN.**

10:01:37 **Vote:** Motion carried 18 - 1 by roll call vote with Rep. Hawk, voting no.  
Rep. Hawk, By Proxy

10:01:37 **Carrier Assigned:** Rep. Jedediah Hinkle

**EXECUTIVE ACTION ON SB 182 - Create task force on a court system for dependency and neglect cases**

10:03:17 **Motion:** Rep. Brandon Ler moved that **SB 182 BE CONCURRED IN.**

10:03:17 **Vote:** Motion carried unanimously by voice vote.

10:03:17 **Carrier Assigned:** Rep. Jennifer Carlson

**EXECUTIVE ACTION ON SB 345 - Revise sex offender laws**

10:05:25 **Motion:** Rep. Brandon Ler moved that **SB 345 BE CONCURRED IN.**

10:05:25 **Vote:** Motion carried 18 - 1 by roll call vote with Rep. Zephyr, voting no.

10:05:25 **Carrier Assigned:** Rep. Casey Knudsen

**EXECUTIVE ACTION ON SJ 15 - Resolution on Marbury v. Madison**

10:07:55 **Motion:** Rep. Brandon Ler moved that **SJ 15 BE CONCURRED IN.**

**Discussion:**

10:08:43 Rep. Tom France

10:09:12 Rep. Wayne Rusk

10:07:55 **Vote:** Motion carried 11 - 8 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Knudsen, Rep. Rusk, Rep. Smith, Rep. Zephyr, voting no.  
Rep. Hawk, Rep. Howell, Rep. Knudsen, By Proxy

**ADJOURNMENT**

Adjournment: 10:12:19

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Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230325JUHaad\)](#)