

DOMESTIC VIOLENCE

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the introduced bill. The other information is available by selecting the Additional Bill Links hyperlink at the top of the bill and then the link “Status of this Bill.”

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: The primary criminal statute regarding domestic violence is found at [45-5-206, MCA](#). The 2017 Legislature enacted a bill that created [45-5-215, MCA](#), addressing Strangulation of Partner or Family Member.

Legislative Services Division Materials:

[Domestic Violence Report Department of Labor and Industry 2018](#)

Other Materials:

[Miscellaneous statutes and programs regarding domestic violence](#)

Introduced Legislation

2017

[Senate Bill No. 153](#) (S) Chapter Number Assigned -- AN ACT CREATING THE OFFENSE OF STRANGULATION OF A PARTNER OR FAMILY MEMBER; AMENDING SECTIONS 40-15-102, 40-4-219, 41-3-301, 44-4-311, 45-5-206, 45-5-209, 46-1-502, 46-6-311, 46-9-108, 46-9-302, 46-16-226, 46-18-219, AND 46-23-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2015

[House Bill No. 37](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS REGARDING THE ADMISSIBILITY OF EVIDENCE IN CRIMINAL ACTIONS INVOLVING DOMESTIC

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VIOLENCE AND CHILD ABUSE; PROVIDING THAT EVIDENCE OF OTHER ACTS IS ADMISSIBLE IN PROSECUTIONS FOR ENDANGERING THE WELFARE OF CHILDREN AND FOR PARTNER OR FAMILY MEMBER ASSAULT; PROVIDING EXCEPTIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

[Senate Bill No. 227](#) – Missed deadline for revenue bill transmittal -- A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE FINES AND PENALTIES FOR PARTNER OR FAMILY MEMBER ASSAULT; REVISING DEFINITIONS; AND AMENDING SECTION 45-5-206, MCA."

[Senate Bill No. 318](#) – Chapter Number Assigned -- AN ACT REVISING LAWS RELATED TO NO CONTACT ORDERS; PROVIDING THAT A NO CONTACT ORDER MAY BE ISSUED FOR AGGRAVATED ASSAULT OR ASSAULT WITH A WEAPON COMMITTED AGAINST A PARTNER OR FAMILY MEMBER; PROVIDING THAT A PERSON MAY NOT BE RELEASED ON BAIL WITHOUT APPEARING BEFORE A JUDGE WHEN THE PERSON IS CHARGED WITH VIOLATING A NO CONTACT ORDER; AND AMENDING SECTIONS 45-5-209, 46-6-311, AND 46-9-302, MCA.

2013

[Senate Bill No. 188](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A CONVICTION FOR AGGRAVATED ASSAULT, IF THE OFFENDER IS A PARTNER OR FAMILY MEMBER OF THE VICTIM, IS A PRIOR CONVICTION FOR PURPOSES OF PARTNER OR FAMILY MEMBER ASSAULT; AMENDING SECTION 45-5-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

[Senate Bill No. 189](#) – Chapter Number Assigned -- AN ACT REVISING PARTNER OR FAMILY MEMBER ASSAULT LAWS; PROVIDING THAT A CONVICTION IN ANOTHER STATE FOR AN OFFENSE RELATED TO DOMESTIC VIOLENCE BETWEEN PARTNERS OR FAMILY MEMBERS, AS THOSE TERMS ARE DEFINED IN MONTANA, IS A CONVICTION FOR PURPOSES OF DETERMINING THE NUMBER OF PRIOR CONVICTIONS FOR THE OFFENSE OF PARTNER OR FAMILY MEMBER ASSAULT; PROVIDING THAT A CONVICTION FOR AGGRAVATED ASSAULT, IF THE OFFENDER WAS A PARTNER OR FAMILY MEMBER OF THE VICTIM, IS A PRIOR CONVICTION FOR PURPOSES OF PARTNER OR FAMILY MEMBER ASSAULT; AMENDING SECTION 45-5-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill 362](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE FINES AND PENALTIES FOR PARTNER OR FAMILY MEMBER ASSAULT; REVISING DEFINITIONS; AND AMENDING SECTION 45-5-206, MCA."

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2011

None

2009

[Senate Joint Resolution 31](#) – Died in Standing Committee -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT AN INTERIM COMMITTEE STUDY THE EFFECTS OF DOMESTIC VIOLENCE ON CHILDREN AND WAYS TO REDUCE THE POTENTIAL PROBLEMS ASSOCIATED WITH CHILD TRAUMA RELATED TO DOMESTIC VIOLENCE.