

Proposal for Legislation -- 2011

Re: Parole for Persons in DPHHS Custody

Return to:

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1. What is the problem or issue?

Persons sentenced to the DPHHS Director's custody under 46-14-312 and placed at MDC or MMHNCC do not have the same statutory right of parole as those placed at MSH.

2. What do you want the legislation to do?

Provide parole opportunity to all "Guilty but Mentally III" (GBMI) defendants sentenced to the custody of the director of DPHHS, regardless of where placed.

3. If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.

46-23-201, MCA.

4. If the proposed change requires additional funding, what funding sources do you propose?

No fiscal impact anticipated.

5. Has similar legislation been requested in the past, been introduced in another state, or provided as a model act? If so, please provide a citation, reference, or point of contact.

No