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Law and Justice Interim Committee

68th Montana Legislature

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September 9, 2024,

TO: Law and Justice Interim Committee
FROM: Julianne Burkhardt, Staff Attorney
RE: Administrative Rule Activity

Public Safety Officer Standards and Training Council (POST) MAR 2024 Issue No. 17, (September 6, 2024). POST issued a Notice of Public Hearing on Proposed Amendment addressing the amendment of ARM 23.13.212, 23.13.301, 23.13.305, 23.13.306, and 23.13.801, regarding the certification of public safety officers. A public hearing will be held in Room 207 of the Karl Ohs Building, Montana Law Enforcement Academy, 2260 Sierra Road East, Helena MT, on October 9, 2024, at 10:00 A.M.

Department of Corrections (DOC) MAR 2024 Issue No. 17, (September 6, 2024).) DOC issued a Notice of Amendment regarding the amendment of ARM 20.7.1101 addressing conditions of probation and parole. Regarding new subsection (2) of ARM 20.7.1101 the department received several comments and made changes to proposed (2) based on those comments. The phrase “ or for a search upon reasonable suspicion” was stricken because it does not reflect the state of the law. The requirement for written permission before and offender may change their residence was also stricken because it does not reflect current practice. Finally, the phrase “requirements of a law-abiding citizen” was added to subsection (1) as an additional requirement for offenders to meet.