

Summary of Law and Justice Legislation from the 2025 Legislative Session

LAW AND JUSTICE INTERIM COMMITTEE
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INTRODUCTION

The 2025 Legislature considered numerous bills related to law and justice topics. This document summarizes those bills, excluding any provisions in House Bill 2: General Appropriation Act.

The first section of this summary provides an overview of the outcome of bills requested by the 2023-2024 Law and Justice Interim Committee. Enacted legislation related to the topic is listed in the second section of this summary. Each bill summary is headed by the bill number and chapter number is hyperlinked in the electronic version. Additional information about each bill can be found online on the Bill Explorer (<https://bills.legmt.gov/>).

COMMITTEE REQUESTED BILLS

The committee requested six bills for the 2025 legislative session. Of those requested, four bills have been passed and approved, and signed by the governor. Two of the six failed in the legislative process.

PASSED THE 2025 LEGISLATIVE BODY

1. [House Bill 32/Ch. 6](#) (LC0316 / LJIC PD 1): An act revising the circumstances in which a government entity may make an audio or video recording of a child without obtaining parental consent.
2. [House Bill 44/Ch. 24](#) (LC0320 / LJIC PD 7): An act establishing a penalty for tampering with or fabricating physical evidence in connection with a homicide.
3. [Senate Bill 19/Ch. 583](#) (LC0317 / LJIC PD 2): An act generally revising sentencing laws and raising the penalty thresholds for offenses involving theft, failure to return rented or leased personal property, issuing a bad check, deceptive practices, forgery, and theft of identity.
4. [Senate Bill 91/Ch. 551](#) (LC0319 / LJIC PD 6): An act requiring driver's licenses and identification cards to display citizenship status.

FAILED TO PASS

1. [House Bill 93](#) (LC0318 / LJIC PD 4): An act providing compensation for people who have been wrongly convicted of felony crimes and exonerated.
2. [Senate Joint Resolution 2](#) (LC0321 / LJIC PD 8): A joint resolution of the Senate and House of Representatives of the state of Montana to disapprove of the rules of practice and procedure adopted by the Montana Supreme Court.

LAW AND JUSTICE-RELATED ENACTED LEGISLATION

The enacted legislation is categorized as follows: alcohol and drugs, civil procedure, corrections, crimes and criminal procedure, estates and trusts, family law and minors, guns and weapons, interim studies, judges and justices/courts, law enforcement, and privacy. Although a bill may fit into more than one topic, it is listed only once.

ALCOHOL AND DRUGS

1. [House Bill 41/Ch. 7](#): An act adding gabapentin to the drugs listed in Schedule V controlled substances.
2. [House Bill 196/Ch. 111](#): An act revising alcohol server and sales training to include training related to digital identification cards; including digital identification cards as a prohibited form of fraudulent identification.
3. [House Bill 249/Ch. 115](#): An act revising digital identification laws; including digital versions of licenses in alcohol, tobacco, and marijuana laws.
4. [House Bill 267/Ch. 226](#): An act creating the crime of aggravated vehicular homicide while under influence.
5. [House Bill 344/Ch. 264](#): An act creating an additional type of driving under the influence offense regarding noncommercial or commercial drivers who have a certain amount of prohibited substances other than alcohol or marijuana in their blood.
6. [House Bill 467/Ch. 298](#): An act including the use of oral fluid for DUI testing.
7. [House Bill 626/Ch. 702](#): An act revising DUI sentencing when a person has a pending or subsequent offense while awaiting sentencing on a present offense.
8. [Senate Bill 132/Ch. 155](#): An act creating separate crimes for minor in possession or unlawful attempt to purchase alcohol, marijuana, or other intoxicating substances.
9. [Senate Bill 201/Ch. 367](#): An act revising cleanup laws for properties contaminated with methamphetamines or fentanyl.
10. [Senate Bill 375/Ch. 394](#): An act prohibiting the sale of hemp products that contain THC to consumers; providing definitions; and providing an immediate effective date.
11. [Senate Bill 508/Ch. 412](#): An act providing that any level of tetrahydrocannabinol constitutes driving under the influence for drivers under 21 years of ages.

CIVIL PROCEDURE

1. [House Bill 195/Ch. 34](#): An act revising the noneconomic damage limitation applicable in medical malpractice cases; providing for annual increases.
2. [House Bill 292/Ch. 250](#): An act establishing the Uniform Public Expression Protection Act.
3. [House Bill 324/Ch. 257](#): An act revising legislative policy for voluntary payments to include all claims; providing that certain bad faith insurance actions do not apply to voluntary payments.
4. [House Bill 409/Ch. 20](#): An act prohibiting a court from using certain tests when considering an application for a preliminary injunction or a temporary restraining order.
5. [House Bill 521/Ch. 315](#): An act providing that a person convicted of a crime who is injured during the commission of the crime has no right of action.
6. [House Bill 682/Ch. 709](#): An act providing a statute of limitations for tort actions involving gender transition treatment on minors; providing for reciprocal coverage of detransition treatment in private insurance and

public employee and Montana university system insurance plans; providing that detransition treatment be included as a service under Medicaid and Healthy Montana Kids in certain situations.

7. [House Bill 940/Ch. 662](#): An act prohibiting overnight camping and storage of personal property on a state highway right-of-way.
8. [Senate Bill 38/Ch. 352](#): An act revising laws to prohibit attorney fee awards against a government entity relating to legislative veto overrides.
9. [Senate Bill 39/Ch. 542](#): An act requiring that certain awards of attorney fees must be reasonable.
10. [Senate Bill 97/Ch. 357](#): An act revising venue laws for cases in which parties challenge recently enacted law.
11. [Senate Bill 143/Ch. 174](#): An act revising laws relating to commencement of actions based on contract, covenant, obligation, or liability founded on an instrument; revising laws relating to commencement of actions for damages arising out of work on improvements to real property or land surveying.

CORRECTIONS

1. [House Bill 186/Ch. 190](#): An act increasing the size of the board of pardons and parole.
2. [House Bill 475/Ch. 303](#): An act providing that restraints may not be used on a pregnant inmate during labor and delivery except in extraordinary circumstances.
3. [House Bill 572/Ch. 461](#): An act requiring the Montana correctional enterprises prison industries training program include educational programming.
4. [House Bill 595/Ch. 321](#): An act requiring the Department of Corrections to offer a Montana correctional education program for inmates.
5. [House Bill 643](#) **(VETO Mail Poll in Progress)**: An act revising payment of costs for use of a detention center; revising the definition of “actual costs”.
6. [House Bill 707/Ch. 506](#): An act providing that the Department of Corrections shall consider an inmate’s family attachments when making out-of-state placements; and amending sections.
7. [House Bill 718/Ch. 514](#): An act establishing an office of reentry services in the Department of Labor and Industry.
8. [House Bill 833/Ch. 732](#): An act providing funding for additional correctional capacity.
9. [House Bill 913/Ch. 752](#): An act implementing the provisions of House Bill No. 2; increasing the number of district court judges; providing for a report on communications at the Montana state prison; providing for an interim study on wages and consolidation of legal services; establishing a daily rate for detention centers.
10. [Senate Bill 65/Ch. 354](#): An act providing for Department of Corrections authority to contact victims when responding to change-of-name petitions.
11. [Senate Bill 70/Ch. 356](#): An act allowing for a probation and parole officer to remove a condition of supervision without objection.
12. [Senate Bill 217/Ch. 370](#): An act establishing work time credit for probationers and parolees.

CRIMES AND CRIMINAL PROCEDURE

1. [House Bill 38/Ch. 22](#): An act establishing that a person who provides false information or assists an unqualified person in acquiring certain disability parking accommodations is guilty of a misdemeanor.

2. [House Bill 46/Ch. 99](#): An act providing that the requirements for changing an attorney do not apply to public defenders appointed under the Montana Public Defender Act.
3. [House Bill 82/Ch. 102](#): An act creating the offense of grooming of a child for a sexual offense, revising the offense of sexual abuse of children to include computer-generated child pornography, and adding the offense of grooming a child for a sexual offense to the definition of sexual offense.
4. [House Bill 117/Ch. 669](#): An act establishing criminal justice data warehouse project priorities for the 2025-2026 interim.
5. [House Bill 214/Ch. 113](#): An act providing for the prosecution of state crimes against persons that are subject to federal immigration detention.
6. [House Bill 268/Ch. 117](#): An act requiring the county attorney to notify the attorney general's office when a petition to relieve duty to register is filed.
7. [House Bill 354/Ch. 446](#): An act requiring the revocation of hunting, fishing, and trapping privileges for acts of criminal trespass committed while hunting, fishing, trapping, or collecting or attempting to collect antlers, antler sheds, or animal horns.
8. [House Bill 401/Ch. 276](#): An act prohibiting the manufacture for sale, sale, holding, or offering for sale, or distribution of cell-cultured edible product.
9. [House Bill 446/Ch. 657](#): An act providing the exposure of a person's intimate parts in a public place to members of the opposite sex or the opposite sex observed at birth to the person constitutes indecent exposure.
10. [House Bill 514/Ch. 686](#): An act generally revising laws related to violating privacy in communications; expanding offenses to include obtaining money or valuables from a person; adding the act of possessing and threatening to disclose real or digitally fabricated media as a violation.
11. [House Bill 532/Ch. 484](#): An act providing for a crime of abuse, neglect, or exploitation of incapacitated persons and vulnerable adults.
12. [House Bill 545/Ch. 659](#): An act revising the name, membership, and duties of the missing indigenous persons task force.
13. [House Bill 575/Ch. 690](#): An act authorizing that a court may assign a public defender for a parent in a proceeding to involuntarily terminate the parent's parental rights; providing that a court may order assignment of a public defender to serve as a member of a treatment court team.
14. [House Bill 578/Ch. 463](#): An act removing from consideration an offender's financial resources when sentencing restitution.
15. [House Bill 612/Ch. 324](#): An act providing if a sentence is revoked the new sentence must run consecutively to any existing sentence unless the original sentence ran concurrently.
16. [House Bill 625/Ch. 327](#): An act providing for a reduction in a county's entitlement share if the county fails to comply with mandatory child abuse or neglect reporting requirements.
17. [House Bill 712/Ch. 509](#): An act requiring a person convicted of the offense of vehicular homicide while under the influence to pay restitution for the support of each minor child whose parent or guardian was the victim of the offense.
18. [House Bill 726/Ch. 473](#): An act revising surety bail bond insurance qualifications and continuing education.
19. [House Bill 743/Ch. 523](#): An act requiring the Department of Public Health and Human Services to forward materials pertaining to an alleged offense of exploitation of an incapacitated person or vulnerable adult to

the county attorney, and requiring each county attorney and the Department of Public Health and Human Services to report to the Attorney General.

20. [House Bill 752/Ch. 525](#): An act prohibiting content providers from allowing access to child sexual abuse material in Montana.
21. [Senate Bill 25/Ch. 541](#): An act regulating the use of deepfakes in election communications and electioneering communications.
22. [Senate Bill 101/Ch. 179](#): An act creating the offense of unlawful squatting; creating the offense of fraudulent sale or lease of property.
23. [Senate Bill 154/Ch. 361](#): An act revising the prohibition of the sale or purchase of human body parts under the revised uniform anatomical gift act.
24. [Senate Bill 261/Ch. 143](#): An act establishing that a person commits the offense of endangering the welfare of children by exposing a child to marijuana or dangerous drugs or assisting a child in entering an adult-use dispensary or a place where human trafficking or the production of dangerous drugs is taking place.
25. [Senate Bill 280/Ch. 141](#): An act allowing the Montana board of crime control to provide domestic violence intervention program grants to communities to monitor compliance with court-ordered requirements for offenders convicted of or charged with certain offenses.
26. [Senate Bill 282/Ch. 382](#): An act generally revising search and seizure laws related to the ability of the state and local government to obtain and use electronic communications and related material and stored data of an electronic device.
27. [Senate Bill 296/Ch. 566](#): An act establishing an enhanced penalty for a person employed or volunteering in a caregiving facility who is found guilty of an offense against a vulnerable person in that caregiving facility.
28. [Senate Bill 300/Ch. 568](#): An act providing the offense of harassment or harm of a service animal, and providing the offense of unauthorized control of a service animal.
29. [Senate Bill 348/Ch. 602](#): An act providing that offenders who commit a second offense of sexual assault must register as a sexual offender.
30. [Senate Bill 413/Ch. 606](#): An act creating the crime of disclosing explicit synthetic media.
31. [Senate Bill 429/Ch. 607](#): An act generally revising laws related to determination and restoration of fitness in criminal proceedings.
32. [Senate Bill 444/Ch. 404](#): An act requiring a search warrant to be exhibited to a known lawful occupant of a property to be searched.
33. [Senate Bill 493/Ch. 410](#): An act creating the offense of criminal trespass by unmanned aerial vehicle.
34. [Senate Bill 552/Ch. 624](#): An act providing that a petition to transfer may be filed by a county attorney if an offender previously sentenced for a felony who received a suspended or deferred sentence in one county is charged with another felony in a different county so that both cases can be filed in the county where the second felony case is alleged to have occurred.

ESTATES AND TRUSTS

1. [Senate Bill 53/Ch. 545](#): An act revising income tax laws to implement changes from prior income tax simplification legislation.
2. [Senate Bill 134/Ch. 176](#): An act creating the Safeguarding Endowment Gifts Act.
3. [Senate Bill 305/Ch. 211](#): An act requiring funeral trust funds to comply with the prudent investor rule.

FAMILY LAW AND MINORS

1. [House Bill 77/Ch. 79](#): An act generally revising laws related to child abuse and neglect investigations by the Department of Public Health and Human Services to remove temporary investigative authority.
2. [House Bill 173/Ch. 192](#): An act generally revising Montana Youth Court Act definitions that a victim may include a corporation or other entity.
3. [House Bill 191/Ch. 110](#): An act providing that it is an offense of endangering the welfare of children by committing certain crimes related to partner or family member assault in the presence of a child.
4. [House Bill 352/Ch. 265](#): An act generally revising laws related to the Montana child support guidelines.
5. [House Bill 586/Ch. 692](#): An act revising child safety restraint system laws.
6. [House Bill 655/Ch. 336](#): An act prohibiting discriminatory action against a person providing adoption or foster care services based on the person's religious belief.
7. [House Bill 690/Ch. 714](#): An act clarifying that certain definitions of abuse and neglect do not including referring to or raising a child in a manner consistent with the child's biological sex, and providing that a member of the united states congress or the Montana legislature may not disclose information to a parent or guardian that is subject to attorney-client privilege.
8. [House Bill 694/Ch. 340](#): An act revising child abuse and neglect laws by revising placement preferences to provide that placements outside of the United States are disfavored.
9. [Senate Bill 18/Ch. 58](#): An act revising the definition of child abuse or neglect to exclude certain factors from solely constituting physical or psychological harm to a child.
10. [Senate Bill 69/Ch. 584](#): An act revising county attorney reporting requirements related to childhood sexual abuse by providing for an annual reporting requirement.
11. [Senate Bill 73/Ch. 63](#): An act requiring the person or agency who places a child in protective care to notify prehearing conference facilitators about the placement within 24 hours, and requiring a prehearing conference before an emergency protective services hearing.
12. [Senate Bill 206/Ch. 153](#): An act generally revising laws related to child abuse and neglect proceedings and investigations by providing for a child protection investigator and a child reunification specialist.
13. [Senate Bill 208/Ch. 152](#): An act revising the definition of dependent child in the retirement systems for highway patrol officers, police officers, and firefighters.
14. [Senate Bill 248/Ch. 147](#): An act providing that legislator access to child abuse and neglect investigation records includes access to drug testing results.
15. [Senate Bill 251/Ch. 145](#): An act revising laws related to the office of the child family ombudsman by providing that matters under investigation are confidential.
16. [Senate Bill 256/Ch. 144](#): An act generally revising laws related to the access of child abuse and neglect investigation records.
17. [Senate Bill 402/Ch. 575](#): An act providing for case determinations of investigations of reported child abuse or neglect.
18. [Senate Bill 464/Ch. 578](#): An act revising laws related to the appointment of special advocates in child abuse and neglect proceedings.
19. [Senate Bill 468/Ch. 613](#): An act providing for a statewide central registry for substantiated reports of child abuse or neglect.

GUNS AND WEAPONS

1. [House Bill 329/Ch. 675](#): An act encouraging the formation of ammunition component manufacturing businesses in Montana.
2. [House Bill 493/Ch. 308](#): An act establishing the crime of possession of a stolen firearm.
3. [House Bill 801/Ch. 727](#): An act providing for the Montana firearms liability clarification act.
4. [House Bill 809/Ch. 537](#): An act prohibiting local governments from enacting or enforcing an extreme risk protection order.
5. [House Bill 899/Ch. 750](#): An act creating the Montana state shooting facilities and improvements development and oversight task force.
6. [Senate Bill 247/Ch. 564](#): An act classifying shooting ranges as class four property for the purposes of taxation.

INTERIM STUDIES

1. [House Joint Resolution 23](#): An interim study to review, simplify, and streamline the Montana Youth Court Act.
2. [House Joint Resolution 26](#): An interim study of guardianship issues.
3. [House Joint Resolution 45](#): An interim study on the collateral consequences of criminal convictions and on criminal record expungement.
4. [House Joint Resolution 60](#): An interim study on the effects and regulation of kratom.
5. [Senate Joint Resolution 36](#): An interim study of the standardization of prosecution in matters of dependent neglect.
6. [Senate Joint Resolution 48](#): An interim study of the public health and safety impacts of marijuana legalization.

JUDGES AND JUSTICES, COURTS

1. [House Bill 39/Ch. 16](#): An act allowing political parties to contribute to judicial candidates.
2. [House Bill 68/Ch. 101](#): An act authorizing county commissioners to initiate mandamus proceedings.
3. [House Bill 102/Ch. 228](#): An act generally revising laws related to the Office of the State Public Defender.
4. [House Bill 128/Ch. 135](#): An act protecting volunteer emergency service providers from termination by a public or private employer under certain conditions.
5. [House Bill 147/Ch. 423](#): An act providing a definition of enforcement action to include a time period and other requirements.
6. [House Bill 194/Ch. 428](#): An act generally revising requirements for notice, summons, and motions to discharge a jury panel.
7. [House Bill 270/Ch. 246](#): An act revising the remedy requirements of the Montana Environmental Policy Act.
8. [House Bill 332/Ch. 438](#): An act revising the Youth Court Act.
9. [House Bill 396/Ch. 651](#): An act providing that a person may not be admitted to bail without first being taken before a judge in a court or record in this state.
10. [House Bill 409/Ch. 20](#): An act prohibiting a court from using certain tests when considering an application for a preliminary injunction or a temporary restraining order.

11. [House Bill 415/Ch. 280](#): An act revising who a judge may admit to bail.
12. [House Bill 431/Ch. 37](#): An act allowing the speaker of the House of Representatives to appoint a person to fill certain anticipated vacancies on the judicial standards commission.
13. [House Bill 480/Ch. 680](#): An act providing that any party in a proceeding challenging legislative acts or ballot issues may demand a trial by jury to determine an issue of fact.
14. [House Bill 516/Ch. 688](#): An act transferring the workers' compensation judge from the department of labor and industry to the judicial branch.
15. [House Bill 535/Ch. 455](#): An act generally revising the Uniform Criminal Extradition Act.
16. [House Bill 582/Ch. 498](#): An act allowing the district court to deny elapsed time credit for revocation proceedings regarding multiple violations.
17. [House Bill 693/Ch. 502](#): An act providing requirements for multijudge districts with specialized dockets.
18. [House Bill 710/Ch. 341](#): An act allowing a supreme court justice or district court judge to issue subpoenas requested by an Internet Crimes Against Children Task Force office.
19. [House Bill 775/Ch. 723](#): An act repealing the sunset date of laws regarding judicial review of water rights.
20. [Senate Bill 17/Ch. 57](#): An act revising laws related to deadlines for hearings after the emergency removal and protective placement of a child.
21. [Senate Bill 30/Ch. 351](#): An act providing that the rule of necessity may not be used when judicial officers with less of a conflict are available.
22. [Senate Bill 41/Ch. 353](#): An act requiring a substituted or disqualified district court judge to follow a procedure that provides for the random selection of subsequent judges.
23. [Senate Bill 45/Ch. 765](#): Establishing a Montana judicial performance evaluation system.
24. [Senate Bill 48/Ch. 544](#): An act revising complaint processes with the judicial standards commission to allow a citizen to make public the citizen's complaints concerning a judge at any time.
25. [Senate Bill 137/Ch. 175](#): An act providing that prospective jurors who are 75 years of age or older must be excused on request.
26. [Senate Bill 162/Ch. 173](#): An act expanding the types of local court judges who may be appointed to the criminal justice oversight council.
27. [Senate Bill 249/Ch. 146](#): An act revising child abuse and neglect laws involving adjudication by requiring that a court hear additional evidence from individuals caring for a child.
28. [Senate Bill 342/Ch. 387](#): An act providing that the Chief Justice of the Supreme Court appoints and directs the court administrator.
29. [Senate Bill 398/Ch. 397](#): An act increasing the cap for collections related to action brought before a municipal court.
30. [Senate Bill 430/Ch. 608](#): An act establishing conditions that must be met before transporting or transferring a person to the Montana State Hospital.
31. [Senate Bill 457/Ch. 405](#): An act providing a procedure to poll the members of the House of Representatives or the Senate when a witness or person compelled to produce records fails to comply with a legislative subpoena.
32. [Senate Bill 466/Ch. 579](#): An act establishing factors that must be considered when determining the best interests of a child.

LAW ENFORCEMENT

1. [House Bill 75/Ch. 30](#): An act revising safety officer employment, education, and certification standards.
2. [House Bill 104/Ch. 48](#): An act adding human trafficking, prostitution, and internet crimes against children to the list of offenses an agent appointed by the attorney general has concurrent jurisdiction to investigate.
3. [House Bill 140/Ch. 640](#): An act providing property tax assistance for first responders injured in the line of duty and surviving spouses of first responders killed in the line of duty.
4. [House Bill 181/Ch. 18](#): An act providing that the patrol officers are considered police officers to make arrests or serve warrants at the Capitol complex.
5. [House Bill 278/Ch. 123](#): An act authorizing a peace officer to check and requiring the peace officer to report the immigration status of a person during a lawful stop.
6. [House Bill 333/Ch. 261](#): An act providing for local law enforcement service regulations for cities and towns.
7. [House Bill 486/Ch. 305](#): An act increasing the percentage of the sheriff's salary that is used to calculate the salary for deputy sheriffs.
8. [House Bill 503/Ch. 311](#): An act revising laws regarding fleeing from or eluding a peace officer.
9. [House Bill 589/Ch. 499](#): An act providing that a qualified law enforcement academy may provide the peace officer basic course education requirement.
10. [House Bill 793/Ch. 533](#): An act revising the membership of POST.
11. [House Bill 891/Ch. 747](#): An act authorizing the DPHHS Office of Inspector General to issue subpoenas to compel production of certain records relevant to investigations of waste, fraud, or abuse.
12. [House Bill 954/Ch. 764](#): An act extending the date by which Lake County may withdraw from enforcement of criminal jurisdiction within the Flathead Indian Reservation on behalf of the state.
13. [Senate Bill 286/Ch. 383](#): An act clarifying the precedential value of caselaw interpreting a statute in the event of subsequent legislative action on the interpreted statutory provisions.
14. [Senate Bill 288/Ch. 212](#): An act establishing seizure guidelines for weapons in officer-involved shootings.
15. [Senate Bill 393/Ch. 604](#): An act providing funding for reimbursements for felony criminal jurisdiction on the Flathead Indian reservation.
16. [Senate Bill 487/Ch. 349](#): An act revising laws related to the Montana End of Watch trust.

PRIVACY

1. [House Bill 178/Ch. 427](#): An act limiting the use of AI systems by state and local government.
2. [House Bill 397/Ch. 273](#): An act establishing confidentiality standards for mental health digital services.
3. [House Bill 513/Ch. 685](#): An act providing rights in the use of a name, voice, or visual likeness.
4. [House Bill 590/Ch. 694](#): An act requiring health carriers to establish and maintain certain application programming interfaces for the benefit of the insured.
5. [House Bill 599/Ch. 696](#): An act providing options for parents regarding data collection.
6. [House Bill 796/Ch. 534](#): An act clarifying that a professional licensing board or program may request health care information pursuant to an administrative subpoena for investigative and disciplinary purposes.
7. [Senate Bill 124/Ch. 177](#): An act revising electronic license privacy law.
8. [Senate Bill 163/Ch. 345](#): An act including neurotechnology data in the Genetic Information Privacy Act.
9. [Senate Bill 297/Ch. 567](#): An act requiring notification to consumers that information has been collected.