

LAW AND JUSTICE INTERIM COMMITTEE

2025 – 2026 WORK PLAN

*PREPARED FOR COMMITTEE REVIEW
SEPTEMBER 2025*

Purpose: To help the LJIC plan its interim and establish work priorities. When finalized, the work plan will provide guidance to the members, staff, and public on how the LJIC will conduct its business throughout the interim. It will serve as a blueprint that allows the LJIC to complete its work over the next 15 months.



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INTRODUCTION

COMMITTEE MEMBERSHIP AND STAFF, 2025-2026

Before the close of each legislative session, House and Senate leadership appoint lawmakers to interim committees. The members of the Law and Justice Interim Committee, like most other interim committees, serve one 20-month term. Members who are reelected to the Legislature, subject to overall term limits, and if appointed, may serve again on an interim committee. This information is included to comply with [2-15-155, MCA](#).

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ABOUT THE LAW AND JUSTICE INTERIM COMMITTEE (LJIC)

The LJIC is one of several interim committees established by law and required to meet in the months between regular legislative sessions. Interim committees provide oversight of various state agencies, conduct interim studies as needed and as assigned by the Legislative Council, and propose legislation for consideration at the next legislative session. The interim committees also provide Montana's citizens an opportunity to give testimony on their experiences to the state government.

The LJIC is responsible for monitoring the activities of the Office of the State Public Defender (OPD), the Department of Corrections (DOC), the Department of Justice (DOJ)¹, and any entities attached to those agencies for administrative purposes. The administratively attached entities that the LJIC monitors are:

- the Board of Pardons and Parole (attached to DOC);
- the Board of Crime Control (attached to DOJ);
- the Public Safety Officer Standards and Training (POST) Council (attached to DOJ);
- the End of Watch Trust Board (attached to DOJ); and
- the Gaming Advisory Council (attached to DOJ).

The committee also serves as the liaison to the Judicial Branch.

COMMITTEE PROCEDURES AND PUBLIC PARTICIPATION

The LJIC is subject to the Legislative Council's Rules, Procedures, and Guidelines for Interim Committees. The rules and guidelines provide structure and outline the requirements for the interim committees' work, including public notice and participation requirements, parliamentary procedures, legislative reimbursement, and the use of staff. The Council also suggests that interim committees complete their work by September 15, 2026.

A 10-day advance public notice will be given for all regular meetings and the public will be given an opportunity to comment on any matter within the committee's jurisdiction during meetings. The presiding officer may establish time limits for public comment if necessary.

Meeting agendas, links, documents, and other information can be found on the [LJIC webpage](#)². Interested persons may also sign up to receive electronic meeting notifications at <https://public.govdelivery.com/accounts/MTLSB/subscriber/new>.

PROXY VOTES

The [Legislative Council's Rules, Procedures, and Guidelines](#) guide the use of proxy votes in interim committees. Generally, the use of proxies is discouraged. However, "[f]or the exercise of a proxy to be valid, the deputized member shall hold a written proxy from the absent member." [Legislative Council's Rule, page 2]

¹ Except for the Motor Vehicles Division, which will be overseen by the Transportation Interim Committee.

² <https://committees.legmt.gov/#/nonStandingCommittees/2>

WORK PLAN

HOW THE LJIC PLANS ITS WORK

DEVELOPING A WORK PLAN

The LJIC establishes its work plan at the beginning of the interim by revising the work plan during the organizational meeting and finalizing it at the fall meeting, if needed. The work plan is a blueprint for the interim. The primary constraint limiting the committee's work during the interim is the number of issues that can be effectively addressed within the available time and resources of the committee members and its staff.

This 2025-2026 work plan sets priorities and outlines how and where the LJIC will allocate its time and resources. Staff use decisions made at the organizational meeting in July to develop plans to complete the committee's work by the September 15, 2026, interim end date.

The work plan is flexible and can be adjusted by the LJIC later if other issues require the committee's attention.

The work plan includes:

- Background on the LJIC and its duties;
- A description of draft study topics and plans to address those topics; and
- A draft committee meeting schedule.

WORK PLAN TOPICS

Work plan topics include statutorily assigned responsibilities, study resolutions enacted by the 2025 Legislature and assigned to committees by the Legislative Council, review proposed statewide initiatives within the LJIC subject areas, and study topics suggested by legislators. Each is discussed further in this section.

STATUTORY DUTIES AND OBLIGATIONS

The LJIC is assigned additional responsibilities from several statutory sources, including the primary statute governing all interim committees' work: [Section 5-5-215, MCA](#).

1. **Conduct interim studies** as assigned. The committee may recommend to the Legislative Council that a study be assigned to another committee or not be conducted.
2. **Review administrative rules** of the agencies assigned to the LJIC for oversight. A list of those agencies is on page 4 of this document.
3. **Review legislation** proposed by the agencies and the Judicial Branch. Bills requested by an individual member of the Legislature are not subject to this requirement. The review and authorization process is not an endorsement by the LJIC of the agency proposals.
4. **Complete additional statutory duties**, including receiving reports required by law to be given to the LJIC.

5. **Monitor the operation of the agencies assigned to the LJIC** with specific attention to the following:
 - a. identification of issues likely to require future legislative attention;
 - b. opportunities to improve existing law through the analysis of problems; and
 - c. experiences of Montana's citizens with the operation of the agency that may be amenable to improvement through legislative action.
6. **Review proposed ballot initiatives*** in the LJIC's subject area.³ (See NOTE on [page 11](#))
7. **(Committee-driven):** Prepare bills and resolutions that, in the committee's opinion, the welfare of the state may require for presentation to the next regular session.
8. **(Committee-driven):** Compile, analyze, and furnish information bearing on the committee's assignment and relevant to existing or prospective legislation that the committee determines to be pertinent to the adequate completion of its work.

The LJIC is also required by [section 5-5-226, MCA](#) to act as the liaison with the judiciary. In this capacity, the committee receives updates from court members and staff, receives statutorily required reports, and reviews legislation requested by the Judicial Branch.

REQUIRED REPORTS

Various laws require agencies to submit specific reports to LJIC by September 1 of the year preceding a legislative session, unless otherwise directed in statute. LJIC may also request a presentation on a specific report from the agency. These reports are submitted in compliance with [5-11-210, MCA](#), which establishes the Legislative Services Division as the clearinghouse for the reports.

Agency or Branch	Description	Law and Timeline*
Judicial Branch	Out-of-home placements report	Biennially, section 41-5-2003
Judicial Branch	Pending civil cases report	Quarterly for fiscal year, section 3-1-713
Judicial Branch	Judicial Standards Review Commission Report	Biennially, section 3-1-1126
Department of Justice	Annual Performance Report	Annually by 10/1, section 2-12-105
Department of Justice	Domestic Violence Fatality Review Commission report	Biennially, section 2-15-2017
Department of Justice	Statewide Public Safety Communications System report	Biennially, section 44-4-1606

³ [Chapter 554, Laws of 2021 \(HB 651\)](#)

Department of Justice	Montana False Claims Act report	Biennially, section 17-8-416
Department of Justice	HB 640 status report on childhood sexual assault prosecutions	Annually by 9/1, section 41-3-210
Department of Justice	Public Safety Officer Standards and Training (POST) Council pending investigations quarterly reports	Quarterly, section 44-4-408
Department of Justice	Judicial Performance Evaluation Commission report	By 9/1/26, SB 45 (2025)
Department of Justice	County aggregated information on cases of exploited, incapacitated, or vulnerable adults	Annually by 9/1, HB 743 (2025)
Department of Justice	Fentanyl Mandatory Minimum Report	Annually by 9/1, section 2-15-505
Department of Justice	Facial Recognition for Government Use Act report	Annually by 9/1, section 44-15-111
Department of Justice	Sexual Assault Response Network annual report	Annually by 9/1, section 44-4-1705
Board of Crime Control	Restorative justice grant programs	Annually, section 44-7-302
Board of Crime Control	Crisis intervention team training program	By 9/15 of each even-numbered year, section 44-7-110
Board of Crime Control	Criminal Justice Data Warehouse biennial report	By Sept 15, 2026, HB 117 (2025)
Criminal Justice Oversight Council	Biennial report	Biennially, section 53-1-216
Department of Corrections	Annual Performance Report	Annually by 10/1, section 2-12-105
Department of Corrections	MIIG supervision grid	Biennially, section 46-23-1028
Department of Corrections	Quality Assurance Unit	Annually, section 53-1-211
Office of State Public Defender	Annual Performance Report	Annually by 10/1, section 2-12-105
Office of State Public Defender	Biennial report	Biennially, section 47-1-125

Office of State Public Defender	5-year funding report	Every 5 years, 47-1-125 (next due 2026)
Criminal Justice Oversight Council	Biennial report	Biennially, section 53-1-216 (Will be recodified – SB 162)
Department of Public Health and Human Services	Number of referrals to county attorneys for exploited, incapacitated, or vulnerable adults	Biennially by 9/15 of each even-numbered year, HB 743 (2025)
Department of Labor and Industry	Report on services provided by the office of reentry services	By July 1 prior to each legislative session, HB 718 (2025)

*Unless otherwise stated, biennial reports are usually due by September 1 of the year prior to a legislative session.

STUDIES ASSIGNED TO THE LJIC

The Legislative Council assigned three studies to the LJIC for the 2025-2026 interim:

- HJ 23: Interim study on youth court laws
- HJ 32: Interim study of advanced investigator qualifications for law enforcement
- HJ 56: Interim study of search and rescue services and funding

Priorities for each study are expressed in staff hours (or FTE). Most studies have 3-4 options, ranging from a full-blown, in-depth study to no action. While the LJIC can choose its preferred level of involvement for each study, most interim studies can be broken into three main stages:

- **Stage 1: Compile Background Information** – This stage is typically the most extensive and includes several steps designed to help an interim committee gather background information about a study topic. It sets the foundation for the rest of the committee's work in the policy area. Information is typically generated from reviews of existing laws, research conducted by legislative staff, and information provided by stakeholders through panel presentations or written materials.
- **Stage 2: Identify and Research Issues** – In this stage, committee members identify problems that could be addressed through further study, legislation, or other action. Study activities in Stage 2 may include further research conducted by legislative staff and additional presentations from stakeholders or policy experts.
- **Stage 3: Develop/Finalize Recommendations** – After compiling background information, identifying issues, and researching options, the committee can discuss and act on the recommendations it wants to make to the Legislature or others, as well as any legislation it intends to forward to the next Legislature.

If the LJIC chooses not to take action on a study, it informs the Legislative Council of its recommendation. Below are summaries of each study assigned to the LJIC. Detailed information can be found on the LJIC Work Plan Decision Matrix.

HJ 23: INTERIM STUDY ON YOUTH COURT LAWS

SPONSOR: REP. REAVIS

House Joint Resolution 23 requests that the LJIC study and propose legislation to simplify and streamline the Montana Youth Court Act, with a focus on procedural improvements.

At the July 2025 organizational meeting, the committee elected 0.10 FTE to this topic. This includes:

- Staff background paper(s) on the legislative history of the Montana Youth Court Act
- OCA review of Youth Court Report Card reports and data trends
- Panel of youth court practitioners (prosecutor, defense attorney, district court judge, youth court services personnel)
- Panel or staff presentation on juvenile probation services, diversion programs, sentencing for convicted youth offenders

HJ 32: INTERIM STUDY OF ADVANCED INVESTIGATOR QUALIFICATIONS FOR LAW ENFORCEMENT

SPONSOR: REP. KELLY

House Joint Resolution 32 requests that the LJIC review training opportunities related to investigating serious crimes and propose legislation to improve the qualifications for investigators of serious crimes.

At the July 2025 organizational meeting, the committee elected 0.075 FTE to this topic. This includes:

- Joint state and local agency presentation on current educational programs and opportunities for advanced crime investigators
- Panel(s) or stakeholder roundtable discussion of education for advanced investigators and opportunities to expand on training
- Staff background paper/presentation on training opportunities and/or collaborative actions taken in other states, plus funding sources
- Final report of committee's activities, findings, recommendations, and drafting of any committee-requested legislation

HJ 56: INTERIM STUDY OF SEARCH AND RESCUE SERVICES AND FUNDING

SPONSOR: REP. MITCHELL

House Joint Resolution 56 requests that the LJIC examine sources of funding and methods of reimbursement for search and rescue operations in Montana.

At the July 2025 organizational meeting, the committee elected 0.05 FTE to this topic. This includes:

- Panel discussion with agencies responsible for funding and distribution of funds for search and rescue, including the possibility of centralizing funding and reimbursement or increased collaboration
- Staff background paper outlining the process for securing reimbursement by county and tribal search and rescue programs for each funding source listed in the study
- Final report on committee activities, findings, and requested legislation

MEMBER TOPICS

REVIEW MONTANA DUI LAWS AND RELATED 2025 LEGISLATION

The 69th Legislature considered many pieces of legislation that addressed Montana's DUI laws. This request is for the LJIC to review DUI and related legislation that was not passed and approved by the 69th Legislature, consider what issues should be further discussed, and propose legislation on any solutions identified.

At the July 2025 organizational meeting, the committee elected 0.10 FTE to this topic. This includes:

- Review of DUI and related legislation from the 2025 Legislative session
- Staff background paper(s) on the current statutory scheme and legislative history of Montana's DUI laws
- Stakeholder panel and/or expert presentation(s) at the request of the committee
- Final report of committee's activities, findings, recommendations, and drafting of any committee-requested legislation

HALO LAW: HELPING ALLEVIATE LAWFUL OBSTRUCTION

Florida's "Halo Law" ([House Bill 184, 2024⁴](#)) creates a protective 25-foot buffer zone around law enforcement officers, firefighters, and emergency medical crews engaged in their official duties. The Halo Law aims to safeguard first responders from harassment, threats, and physical interference. This request is for LJIC to review the Halo Law and consider potential legislation to enact a similar law, if needed, in Montana.

At the July 2025 organizational meeting, the committee elected 0.10 FTE to this topic. This includes:

- Research and staff comparative analysis of similar laws in surrounding states
- Stakeholder panel and/or expert presentation(s) at the request of the committee
- Additional paper(s)/presentation(s) at the committee's request

REFERENCE CHECKS FOR PUBLIC SAFETY OFFICERS

While law enforcement agencies can generally access the employment and disciplinary history of potential employees, police misconduct records are often protected or publicly restricted. Limited access to these records can result in departments hiring individuals with histories of misconduct, potentially leading to future problematic behavior and undermining public confidence. States have taken various approaches to address the situation, such as legislating their own decertification database similar to the NDI,⁵ requiring law enforcement agencies to disclose certain information between agencies, or repealing existing confidentiality requirements to increase public access to records. This request is for LJIC to analyze the situation in Montana and, if necessary, propose legislation based on any issues and solutions identified.

At the July 2025 organizational meeting, the committee elected 0.10 FTE to this topic. This includes:

- Research and staff comparative analysis of similar laws in other states
- POST presentation
- Stakeholder panel and/or expert presentation(s) at the request of the committee

⁴ <https://www.flsenate.gov/Session/Bill/2024/184/?Tab=BillText>

⁵ National Decertification Database - <https://www.iadlest.org/our-services/ndi/about-ndi>

REVIEW PROPOSED STATEWIDE BALLOT INITIATIVES

The LJIC is required to review proposed statewide initiatives that relate to its subject area. The 68th Legislature enacted Senate Bill 93 (SB 93) to clarify and revise the review process enacted in House Bill 651 (HB 651) in 2021. The revised law provides that a statewide initiative includes a constitutional initiative, a constitutional convention initiative, or a statutory initiative.

Section 13 of SB 93 requires the interim committee to hold a public hearing on a statewide initiative referred to the committee by the executive director of the Legislative Services Division. The committee then votes to either support or not support the placement of the proposed statewide initiative on the ballot. The petition used to gather signatures to place the statewide initiative on the ballot must include the interim committee vote. SB 93 applies to statewide initiatives submitted to the secretary of state after May 19, 2023.

The review process may result in additional committee meetings because the committee vote must be submitted to the secretary of state no later than 14 days after receipt of the final text of the statewide initiative.

***NOTE:** The statutory requirement for interim committee review of ballot initiatives is being litigated at the Montana Supreme Court.⁷ Staff will update the committees when litigation is completed and if the committees have any duties in this area while the case is pending. ***NOTE:** The statutory requirement for interim committee review of ballot initiatives is being litigated at the Montana Supreme Court.⁶ Staff will update the committees when litigation is completed and if the committees have any duties in this area while the case is pending.

COMMITTEE LEGISLATION

An interim committee may, by vote, request **five (5)** bills on a partisan basis (only members from one party vote to request the draft), and an unlimited number of bill drafts on a bipartisan basis (members from more than one party vote to request the draft).⁷

ADDITIONAL TOPICS FOR LJIC DISCUSSION

MONITORING IMPLEMENTATION OF 2025 LEGISLATION

The committee may choose to dedicate time to monitoring the implementation of any law and justice-related 2025 legislation to ensure compliance and evaluate its effectiveness. See the attached Summary of Law and Justice Legislation from the 2025 Legislation Session, a separate document, to review law and justice-related legislation enacted by the 69th Legislature.

At the July 2025 organizational meeting, the committee did not allocate time to monitor the implementation of any specific law and justice-related legislation passed in 2025.

⁶ *Ellingson v. State*, Montana Supreme Court No. DA 25-0142 (Filed Feb. 18, 2025)

⁷ Established by [Chapter 432, Laws of 2023 \(SB 176\)](#), increased by [Chapter 134, Laws of 2025 \(HB 142\)](#)

LEGISLATIVE FINANCIAL MODERNIZATION AND RISK ANALYSIS (MARA) STUDY

The 67th Legislature enacted [HB 330](#) which created a "Financial Modernization and Risk Analysis" (MARA) study of the "long-term future budget and revenue needs with changing economics and demographics." The 68th Legislature passed [HB 140](#), furthering the work of MARA, codifying it as an interim committee, and adding additional membership options that may affect the LJIC:

Section 1. Modernization and risk analysis committee. (1) There is a modernization and risk analysis committee. The committee shall study the long-term future budget and revenue needs of the state with changing economics and demographics.

(2) The modernization and risk analysis committee is a bipartisan committee consisting of the following:

- (a) six members of the legislative finance committee, with three members appointed by the presiding officer and three members appointed by the vice presiding officer of the legislative finance committee; an
- (b) four members who are not officials or employees in the executive or legislative branches with two appointed by the presiding officer and two appointed by the vice presiding officer of the modernization and risk analysis committee; and

(c) an interim committee chairperson and vice chairperson of opposite parties as temporary voting members of the committee. The presiding officer of the modernization and risk analysis committee shall invite the two members based on the relevance of at least one of the topics of the upcoming meeting to the subject matter under the jurisdiction of a specific interim committee. If the chairperson or vice chairperson of the interim committee is unable to attend, the chairperson or vice chairperson may designate a member of the interim committee. The interim committee chairperson and vice chairperson must be invited at least 30 days prior to the meeting date.

At the July 2025 organizational meeting, the committee elected 0.005 FTE to this topic. This includes:

- Receive updates from MARA staff on topics that are related to law and justice.
- If LJIC presiding officers are invited to attend a MARA committee, receive updates from presiding officers.

INDIVIDUAL MEMBER RESEARCH REQUESTS

Individual members of the committee may seek additional information on issues that fall under the jurisdiction of the LJIC. These issues may be raised by constituents, may be emerging problems in Montana or other states, or may be of interest to a particular member. If the committee chooses not to pursue information on a topic, the individual committee member may submit a research request. Under rules adopted by the Legislative Council, a staff member may provide **up to 16 hours** of research for a request that is not included in a committee's work plan unless the presiding officer of the interim committee approves additional research time.

UPDATED DRAFT MEETING SCHEDULE AND WORK PLAN TIMELINE

The following meeting dates provide a tentative schedule for the interim. This work plan proposes 10 meeting days, including the organizational meeting. If the LJIC forms a subcommittee, the number of meeting days for the full committee may be reduced. A more specific outline of potential tasks for each meeting will be tracked in a separate meeting chart.

Committee members may change the dates as their schedules allow to better reflect their needs for the interim and any changing priorities as the interim progresses. However, because the LJIC shares 8 members with a combination of 7 other interim committees and shares staff with other commissions and committees, changing or adding meeting dates after the LJIC adopts a work plan is discouraged.

July 16, 2025 (W)	Organizational Meeting. - Interim work plan prioritization and other organizational tasks - Agency introductions and overviews - Selection of studies and topics
September 10, 2025 (W)	1-day meeting. - Adoption of meeting date scheduled - Review of the initial interim meeting chart and future meeting topics - Start studies and continue agency oversight
November 18-19, 2025 (Tu-W)	2-day meeting. - Continue studies and agency oversight
January 14, 2026 (F)	1-day meeting. - Continue studies and agency oversight
March 5-6, 2026 (Th-F)	2-day meeting. - Continue studies and agency oversight - Develop/discuss any draft recommendations - Develop topics for final reports, if any
May 7, 2026 (Th)	1-day meeting. - Continue studies and agency oversight - Develop/discuss any draft recommendations
July 14, 2026 (Tu)	1-day meeting. - Continue studies and agency oversight - Develop/discuss any draft recommendations
September 1, 2026 (Tu)	Final meeting. - Final approval of recommendations, reports, and proposed legislation - Select bill sponsors - Authorize agency bill draft requests

All dates are tentative and subject to change by the committee