

Legislative Update: Outcome of DUI-related introduced legislation

Prepared for the Law and Justice Interim Committee, September 2025

This document summarizes the outcome of legislation introduced in the 2025 Montana legislative session related to DUI laws. Further bill information can be found online on the Bill Explorer (<https://bills.legmt.gov/>).

2025 DUI-RELATED LEGISLATION

Bill #	Short Title	Summary	Sponsor	Status
HB 267	Revise DUI laws related to enacting Bobby's law	Creates the crime of aggravated vehicular homicide while under the influence	Rep. Braxton Mitchell	Chapter Number Assigned
HB 344	Revise criminal laws related to DUI	Creates an additional DUI offense regarding noncommercial or commercial drivers who have a certain amount of prohibited substances other than alcohol or marijuana in their blood	Rep. Braxton Mitchell	Chapter Number Assigned
HB 467	Revise DUI testing to include oral fluids	Includes the use of oral fluid for DUI testing	Rep. Steven Kelly	Chapter Number Assigned
HB 541	Revise DUI laws to include controlled substances	Revises DUI laws to include the offense of driving under the influence of alcohol and a controlled substance not prescribed to the individual	Rep. Steven Kelly	Tabled in Senate Judiciary
HB 542	Revise DUI offense penalties for third offense to be a felony	Revises penalties for second, third, and subsequent DUI offenses	Rep. Steven Kelly	Failed 2 nd reading in the House
HB 626	Generally revise DUI laws	Revises sentencing when a person has a pending or subsequent offense while awaiting sentencing on a present offense	Rep. Bill Mercer	Chapter Number Assigned
HB 816	Generally revise DUI penalties	Revises the definition of misdemeanor to allow terms served on the weekends, and increases penalties and fees	Rep. Fiona Nave	Tabled in Senate Judiciary
SB 196	Revise DUI laws regarding actual physical control	Provides for a definition of “actual physical control” when a person is operating or driving a motor vehicle	Sen. Jeremy Trebas	Tabled in Senate Judiciary
SB 508	Generally revise DUI laws for THC levels in drivers under 21	Provides that any level of tetrahydrocannabinol constitutes driving under the influence for drivers under 21 years of age	Sen. Willis Curdy	Chapter Number Assigned