

AN ACT REVISING LAWS RELATED TO TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE; ESTABLISHING A PENALTY FOR TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE IN CONNECTION WITH A HOMICIDE; AND AMENDING SECTION 45-7-207, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-7-207, MCA, is amended to read:

- "45-7-207. Tampering with or fabricating physical evidence <u>-- penalties</u>. (1) A person commits the offense of tampering with or fabricating physical evidence if, believing that an official proceeding or investigation is pending or about to be instituted, the person:
- (a) alters, destroys, conceals, or removes any record, document, or thing with purpose to impair its verity or availability in the proceeding or investigation; or
- (b) makes, presents, or uses any record, document, or thing knowing it to be false and with purpose to mislead any person who is or may be engaged in the proceeding or investigation.
- (2) (a) A-Except as provided in subsection (2)(b), a person convicted of tampering with or fabricating physical evidence shall be imprisoned in the state prison for a term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both.
- (b) A person convicted of tampering with or fabricating physical evidence in connection with a homicide or homicide investigation and who in so doing affected the ability of a coroner or medical examiner to determine either a cause of death or manner of death, or both, shall be imprisoned in the state prison for a term not to exceed 40 years or be fined an amount not to exceed \$100,000, or both."

- END -



I hereby certify that the within bill,	
HB 44, originated in the House.	
Chief Clerk of the House	
Speaker of the House	
Signed this	day
of	, 2025.
President of the Senate	
Signed this	day
of	, 2025.

HOUSE BILL NO. 44

INTRODUCED BY D. BAUM

BY REQUEST OF THE LAW AND JUSTICE INTERIM COMMITTEE

AN ACT REVISING LAWS RELATED TO TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE; ESTABLISHING A PENALTY FOR TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE IN CONNECTION WITH A HOMICIDE; AND AMENDING SECTION 45-7-207, MCA.