

Amendment - 1st Reading/2nd House-blue - Requested by: John Fitzpatrick - (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0864.001.002

1 HOUSE BILL NO. 864

2 INTRODUCED BY T. MOORE, L. JONES

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE PROVISIONS OF HOUSE BILL NO. 2;
5 PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING FOR AN EMERGENCY DECLARATION OF
6 INMATE HOUSING AND AUTHORIZATIONS TO ADDRESS THE EMERGENCY; AND PROVIDING AN
7 EFFECTIVE DATE."

8

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

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11 NEW SECTION. Section 1. Transfer of funds. By August 15, 2023, the state treasurer shall transfer
12 \$500 from the general fund to the primary sector business training account established in 39-11-205.

13

14 NEW SECTION. Section 2. Emergency declaration related to inmate housing. (1) Whenever the
15 inmate census of a state-owned prison exceeds 90% of the prison's design capacity, the governor may declare
16 a housing emergency at the prison.

17 (2) To expedite construction of additional inmate capacity within the prison or to repair or extend
18 utility service within the facility to allow the reopening of closed buildings or to expand a building's capacity, the
19 governor may suspend the following provisions:

20 (a) 18-2-113;

21 (b) 18-2-114;

22 (c) 18-2-121;

23 (d) 18-2-122;

24 (e) Title 37, chapter 65, part 3; and

25 (f) Title 37, chapter 67, part 3.

26 (3) To expedite construction of additional inmate capacity within a prison, the department of

27 administration, in consultation with the department of corrections, is authorized to purchase plans for prison

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1 housing that was constructed in another state, provided that the engineer and architect of the plans were
2 licensed in the state where the businesses are headquartered.

3 (4) The state architect is authorized to hire a consulting engineer to oversee the construction of
4 new prison facilities if the entity from whom the plans were purchased declines to provide those services.

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6 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2023.

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- END -

AMENDED