

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_  
2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)  
4

5 BY REQUEST OF THE SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM

6  
7 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LEGISLATIVE COMMITTEE TO HOLD IN  
8 CONTEMPT A WITNESS WHO REFUSES TO COMPLY WITH A LEGISLATIVE SUBPOENA; AMENDING  
9 SECTION 5-5-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

12 **Section 1.** Section 5-5-109, MCA, is amended to read:

13 **"5-5-109. Contempt -- misdemeanor.** (1) If a witness neglects or refuses to obey a subpoena or,  
14 appearing, neglects or refuses to testify, ~~the a legislative committee of either the senate or the house, or a joint~~  
15 ~~legislative committee,~~ may, by ~~resolution entered on the journal~~ majority vote, commit the witness for contempt.

16 (2) If a person compelled to produce records under 5-5-107(3) neglects or refuses to obey a  
17 subpoena, ~~the a legislative committee of either the senate or the house, or a joint legislative committee,~~ may,  
18 by ~~resolution entered on the journal,~~ majority vote, commit the witness for contempt.

19 (3) A person who neglects or refuses to obey a subpoena under subsection (1) or (2) is guilty of a  
20 misdemeanor punishable as provided in 46-18-212."

21 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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