_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)
BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING POWERS AND DUTIES OF AGENTS; ADDING HUMAN TRAFFICKING, PROSTITUTION, AND INTERNET CRIMES AGAINST CHILDREN TO THE LIST OF OFFENSES AN AGENT APPOINTED BY THE ATTORNEY GENERAL HAS CONCURRENT JURISDICTION TO INVESTIGATE; PROVIDING A DEFINITION; AND AMENDING SECTION 44-2-115, MCA."

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

Section 1. Section 44-2-115, MCA, is amended to read:

"**44-2-115. Powers and duties of agents -- definition.** (1) An agent appointed by the attorney general pursuant to this part is a peace officer and:

(a) shall provide investigative assistance to city, county, state, and federal law enforcement agencies at their request in accordance with rules adopted by the department of justice;

(b) ~~shall~~ must have concurrent jurisdiction with local law enforcement agencies to investigate offenses involving:

(i) dangerous drugs, as provided in Title 45, chapter 9~~, and~~ ;

(ii) violations that constitute organized criminal activity;

(iii) human trafficking, as defined in 45-5-701;

(iv) prostitution or patronizing a prostitute, as provided in 45-5-601; or

(v) internet crimes against children;

(c) shall investigate gambling activities in this state, as provided in 23-5-113;

(d) shall investigate any apparent violations of penal statutes disclosed by an audit of a state agency by the legislative auditor;

(e) shall investigate apparent violations of penal statutes referred by the state workers' compensation insurance fund; and

(f) shall assist whenever possible any law enforcement school held in the state for law enforcement officers when requested.

(2) For the purposes of this section, "internet crimes against children" means the use of an electronic device or electronic communication to commit or facilitate the commission of a crime against a child, including:

(a) sexual assault, as defined in 45-5-502;

(b) sexual intercourse without consent, as defined in 45-5-503;

(c) indecent exposure, as defined in 45-5-504;

(d) aggravated sexual intercourse without consent, as defined in 45-5-508;

(e) sexual abuse of children, as defined in 45-5-625;

(f) child sex trafficking, as defined in 45-5-711; and

(g) any other offense in which a person uses technology to commit or facilitate a crime against a child."

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