_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE PROSECUTION OF STATE CRIMES AGAINST PERSONS THAT ARE SUBJECT TO FEDERAL IMMIGRATION DETENTION."

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

NEW SECTION. **Section 1. Criminal prosecution of persons subject to federal immigration detention.** (1) The state may initiate a criminal prosecution against a person who is subject or may be subject to federal detention for federal immigration violations for a violation of criminal law committed in this state.

(2) If a criminal prosecution has been instituted against a person under the laws of this state and is still pending, the state may surrender the person to the federal government on demand for federal immigration violations or hold the person until the person has been tried and discharged or convicted and punished in this state.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 46, chapter 1, part 1, and the provisions of Title 46, chapter 1, part 1, apply to [section 1].

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