

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO OFFICERS OF THE COURT;  
5 ALLOWING A POLICE CHIEF TO APPOINT A SPECIAL SERVICE OFFICER AS A COURT OFFICER;  
6 REVISING THE DEFINITION OF "SPECIAL SERVICES OFFICER" TO ALLOW FOR FULL-TIME, PAID  
7 OFFICERS; AND AMENDING SECTIONS 3-6-303 AND 7-32-201, MCA."

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

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11 **Section 1.** Section 3-6-303, MCA, is amended to read:

12 **"3-6-303. Officers of court -- definitions.** (1) The chief of police of the city is the executive officer of  
13 the municipal court. The chief of police shall serve all process and execute all orders of the court, either in  
14 person or by subordinate police officer, who shall execute process in the chief's name.

15 (2) The chief of police, with the approval of the judge, shall appoint one or more police officers, or  
16 reserve officers, as defined in 7-32-201 or full-time or part-time special service officers authorized to carry a  
17 firearm and acting under the supervision of the city police, as court officers, one of whom shall attend the  
18 sessions of the court and perform all duties in connection with the court that the judge may require.

19 (3) For the purposes of this section, "reserve officers" and "special service officers" have the same  
20 meanings as provided in 7-32-201."

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22 **Section 2.** Section 7-32-201, MCA, is amended to read:

23 **"7-32-201. Definitions.** As used in this part, the following definitions apply:

24 (1) "Auxiliary officer" means an unsworn, part-time, volunteer member of a law enforcement  
25 agency who may perform but is not limited to the performance of such functions as civil defense, search and  
26 rescue, office duties, crowd and traffic control, and crime prevention activities.

27 (2) "Council" means the Montana public safety officer standards and training council established in  
28 2-15-2029.

(7) "Special services officer" means an unsworn, full-time or part-time, volunteer or paid member of a law enforcement agency who may perform functions, other than general law enforcement duties, that require specialized skills, training, and qualifications, who may be required to train with a firearm, and who may carry a firearm while on assigned duty as provided in 7-32-239."

LC 4280