

SENATE BILL NO. 2

INTRODUCED BY K. BOGNER

BY REQUEST OF THE ECONOMIC AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE CRIMINAL INTELLIGENCE INFORMATION ADVISORY COUNCIL; PROVIDING FOR TERM LIMITS FOR LEGISLATIVE MEMBERS; CLARIFYING REIMBURSEMENT FOR ADVISORY COUNCIL MEMBERS; AMENDING SECTION 44-5-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 44-5-501, MCA, is amended to read:

"44-5-501. Creation of criminal intelligence information section -- advisory council. (1) The department of justice may create a criminal intelligence information section.

(2) ~~(a)~~ If a section is created under subsection (1), the attorney general shall establish a criminal intelligence information advisory council in accordance with 2-15-122.

(3) (a) The advisory council consists of seven members. Except as provided in subsections (3)(a)(v) and (3)(a)(vi), the members must be appointed by the attorney general. The membership must include:

(i) \_\_\_\_\_, consisting of one representative from the Montana chiefs of police association;

(ii) \_\_\_\_\_ one representative from the Montana sheriffs and peace officers association;

(iii) \_\_\_\_\_ one representative from the Montana county attorneys' association;

(iv) \_\_\_\_\_ one member of the department of justice;

(v) \_\_\_\_\_ a one member of the judiciary committee of either the house of representatives or the senate judiciary committee, appointed by the committee on committees;

(vi) \_\_\_\_\_ one member of the house judiciary committee, appointed by the speaker of the house; and

(vii) \_\_\_\_\_ a citizen at large.

(b) The representatives from the Montana chiefs of police association and the Montana sheriffs and peace officers association must be sworn officers of a participating agency.

1 (c) The department of justice member may not be an employee of the department involved in  
2 criminal intelligence or criminal investigation work.

3 (d) ~~Members~~ Except as provided in subsections (3)(a)(v) and (3)(a)(vi), members of the advisory  
4 council serve at the pleasure of the attorney general.

5 (4) The legislative members of the advisory council shall serve terms of 4 years and may be  
6 reappointed. A term begins on April 1 of odd-numbered years and ends on March 31. The committee on  
7 committees or speaker of the house shall appoint a new legislative member of the advisory council on or before  
8 February 1 of the odd-numbered year that coincides with the expiration of the current legislative member of the  
9 advisory council's term. The terms of the legislative member of the advisory council must be staggered.

10 (5)(e) ~~The department shall provide staff and support services for the advisory council~~ The advisory  
11 council is attached to the department of justice for administrative purposes only, and members are entitled to  
12 reimbursement for travel expenses as provided in 2-18-501 through 2-18-503."

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

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