

1 HOUSE BILL NO. 112
2 INTRODUCED BY J. ETCHART
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING HUMAN TRAFFICKING AND
6 PROSTITUTION LAWS; PROVIDING FOR THE CRIMES OF SEX TRAFFICKING, LABOR TRAFFICKING,
7 AGGRAVATED SEX TRAFFICKING, AND CHILD SEX TRAFFICKING; AMENDING SECTIONS 20-7-1321,
8 27-1-755, 27-2-216, 40-4-219, 41-3-102, 44-5-311, 45-1-205, 45-2-211, 45-5-601, 45-5-701, 45-5-702, 45-5-
9 703, 45-5-705, 45-5-706, 45-5-707, 45-5-708, 45-5-709, 45-5-710, 45-8-405, 46-16-226, 46-18-104, 46-18-111,
10 46-18-201, 46-18-203, 46-18-205, 46-18-207, 46-18-219, 46-18-222, 46-18-231, 46-18-608, 46-23-502, 46-23-
11 1011, AND 61-8-818, MCA; ~~AND~~ REPEALING SECTIONS 45-5-602, 45-5-603, 45-5-604, AND 45-5-704,
12 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
15

16 **Section 1.** Section 20-7-1321, MCA, is amended to read:

17 **"20-7-1321. Employment assistance for current or former school employees, contractors, and**
18 **volunteers engaged in sexual misconduct prohibited.** (1) Except as provided in subsection (2), a person
19 who is an officer, trustee, employee, agent, or contractor of a school, school district, county superintendent of
20 schools, or the state superintendent of public instruction and who knows or has probable cause to believe that a
21 current or former school employee, contractor, or agent has committed or has attempted, solicited, or conspired
22 to commit an act with a child or enrolled student that constitutes a violation of 45-5-502, 45-5-503, 45-5-504,
23 45-5-507, 45-5-508, 45-5-601, ~~45-5-602, 45-5-603,~~ 45-5-625, 45-5-702, 45-5-704, ~~or 45-5-705, 45-5-706, or~~
24 [section 19] may not assist that school employee, contractor, or agent in obtaining new employment apart from
25 the routine transmission of administrative and personnel files.

26 (2) Subsection (1) does not apply if:

27 (a) the information giving rise to probable cause has been properly reported to a law enforcement
28 agency with jurisdiction over the alleged violation;

1 45-5-704. Sexual servitude.

2

3 NEW SECTION. Section 37. Codification instruction. [Sections 19 and 20] are intended to be
4 codified as an integral part of Title 45, chapter 5, part 7, and the provisions of Title 45, chapter 5, part 7, apply
5 to [sections 19 and 20].

6

7 NEW SECTION. Section 38. Severability. If a part of [this act] is invalid, all valid parts that are
8 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
9 the part remains in effect in all valid applications that are severable from the invalid applications.

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11 NEW SECTION. Section 39. Effective date. [This act] is effective on passage and approval.

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