

HOUSE BILL NO. 112

INTRODUCED BY J. ETCHART

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING HUMAN TRAFFICKING AND PROSTITUTION LAWS; PROVIDING FOR THE CRIMES OF SEX TRAFFICKING, LABOR TRAFFICKING, AGGRAVATED SEX TRAFFICKING, AND CHILD SEX TRAFFICKING; AMENDING SECTIONS 20-7-1321, 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, 45-5-703, 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, 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, 46-23-1011, AND 61-8-818, MCA; ~~AND~~ REPEALING SECTIONS 45-5-602, 45-5-603, 45-5-604, AND 45-5-704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

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

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

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

1 45-5-704. Sexual servitude.

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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].

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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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