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HOUSE BILL NO. 450

INTRODUCED BY J. HINKLE, S. GUNDERSON, M. MALONE, C. KNUDSEN, S. GIST, K. ZOLNIKOV, N. NICOL, B. LER, A. REGIER, L. JONES, D. LOGE, C. HINKLE, M. HOPKINS, G. PARRY, J. SMALL, P. GREEN, J. FITZPATRICK, J. TREBAS, E. BUTCHER, N. HASTINGS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A STUDENT MAY USE PHYSICAL FORCE IN SELF-DEFENSE OR IN DEFENSE OF ANOTHER IN RESPONSE TO BULLYING; AMENDING SECTION 20-5-209, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 20-5-209, MCA, is amended to read:

"20-5-209. Bullying of student prohibited -- self-defense authorized. (1) Bullying of a student enrolled in a public K-12 school by another student or an employee is prohibited.

(2) A student who is subjected to or who witnesses another person being subjected to physical bullying is entitled to use physical force in self-defense or in the defense of another person pursuant to 45-3-102.

(3) A school district shall investigate a student's use of physical force and may not reprimand or discipline a student who claims the student used physical force in self-defense or in defense of another if the investigation:

(a) finds that the student was not the aggressor; or

(b) does not find proof contrary to the student's claim."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

- END -