

## Commission on Sentencing Proposed Legislation for 2017 Legislature

The commission requested the following legislation for the 2017 Legislature. The bill's number can be used to track it during the 2017 Legislature by using LAWS: [http://laws.leg.mt.gov/legprd/law0203w\\$.startup?P\\_SESS=20171](http://laws.leg.mt.gov/legprd/law0203w$.startup?P_SESS=20171)

Bill #	COS#	Short Title	Description	Sponsor
SB 59	j001	Generally revise criminal justice laws	Establishes pretrial risk assessment and deferred prosecution grant programs and allows courts to use pretrial risk assessment information; eliminates a required report from judges or justices related to drug users.	Senator Cynthia Wolken
SB 60	j002	Generally revise criminal justice laws	Revises presentence investigation laws; requiring training for corrections employees on risk assessment and evidence-based practices; requiring the department to use risk and needs assessments to drive supervision and correctional practices and to validate the risk assessment tool.	Senator Cynthia Wolken
HB 133	j003	Generally revise sentencing laws	Revises criminal sentencing laws, including drug sentences, drug education courses, persistent felony offender designation, theft and related offenses, certain mandatory minimums, and other sentencing laws.	Representative Nate McConnell
HB 143	j018	Generally revise criminal justice laws	Creates an oversight council to monitor and report on criminal justice legislation; creates reporting requirements for the Department of Corrections; requires the department's Quality Assurance Unit to adopt an evaluation tool to use to conduct program evaluations; requires the department to adopt an incentives/interventions grid to use for community supervision.	Representative Ryan Lynch
SJ 3	j012	Interim study of tribal resources for members involved in crim justice system	Requests an interim committee study to explore increasing access to tribal resources for tribal members who are in the state's criminal justice system.	Senator Cynthia Wolken

<b>LC#</b>	<b>COS#</b>	<b>Short Title</b>	<b>Description</b>	<b>Sponsor</b>
SB 61	j009	Requiring certain facilities providing behavioral health svcs to be lic by DPHHS	Requires facilities to be licensed by the Department of Public Health and Human Services if the facility provides inpatient behavioral health treatment services and is operated by or contracts with the Department of Corrections.	Senator Cynthia Wolken
SB 62	j10B	Certification for behavioral health peer support specialists	Creates a certification process for behavioral health peer support specialists through the Board of Behavioral Health.	Senator Cynthia Wolken
SB 63	j011	Revise laws related to supervision of offenders/defendants	Revises laws related to the supervision of probationers and of defendants servicing a deferred or suspended sentence; requires the Department of Corrections to adopt an incentives/interventions grid to use for community supervision.	Senator Cynthia Wolken
SB 64	j013	Generally revise laws related to the board of pardons and parole	Revises the board's size and structure to make it a three-member, full-time board; requires the board to adopt structured parole guidelines and provide training; revises supervision and revocation processes.	Senator Cynthia Wolken
SB 65	j015	Generally revise laws regarding housing options for offenders	Creates a housing policy for the state; establishes a supportive housing grant program; allows the Department of Corrections to offer rental vouchers to certain offenders and to keep data on certain offenders.	Senator Cynthia Wolken
SB 66	j016	Generally revise the crime victims compensation act	Revises times and qualifications for claims; increases funeral benefits and adds clean up and relocation benefits.	Senator Cynthia Wolken
SB 67	j017	Generally revise offender intervention program laws	Requires Board of Crime Control to adopt statewide standards for services offered through the program; allows grant funding to be used to develop and implement standards.	Senator Cynthia Wolken

Bill Drafts Considered by Commission on Sentencing but not Forwarded to the Legislature

The commission considered these drafts, but declined to request legislation related to them for the 2017 Legislature.

<b>COS Draft #</b>	<b>Short Title and Related Policy Option</b>	<b>Status</b>
LCj006	<ul style="list-style-type: none"><li>▶ Revising drug treatment court laws</li></ul> <p>6. Expand eligibility criteria for problem-solving courts.</p>	The commission voted unanimously in September 2016 to support a similar draft proposed by a Judicial Branch advisory committee instead of pursuing this draft.
LCj007	<ul style="list-style-type: none"><li>▶ Generally revising laws related to community corrections facilities</li></ul> <p>Combines elements of two policy options: 7. Focus prison and community corrections space on those who are most likely to reoffend; and 8. Require prerelease centers to deliver more intensive evidence-based programs and treatment within a shorter time period to reduce recidivism and serve more people.</p>	The commission tabled this draft in October 2016.

Other Action by the Commission on Sentencing

The commission voted in September 2016 to lend its support to the Supreme Court's existing bill draft that would revise treatment course laws. That bill is SB 45 carried by Senator Margaret MacDonald.

Last updated December 16, 2016