1	HOUSE BILL NO. 104		
2	INTRODUCED BY E. ALBUS		
3	BY REQUEST OF THE DEPARTMENT OF JUSTICE		
4			
5	A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING POWERS AND DUTIES OF AGENTS;		
6	ADDING HUMAN TRAFFICKING, PROSTITUTION, AND INTERNET CRIMES AGAINST CHILDREN TO THE		
7	LIST OF OFFENSES AN AGENT APPOINTED BY THE ATTORNEY GENERAL HAS CONCURRENT		
8	JURISDICTION TO INVESTIGATE; PROVIDING A DEFINITION; AND AMENDING SECTION 44-2-115, MCA."		
9			
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:		
11			
12	Section 1. Section 44-2-115, MCA, is amended to read:		
13	"44-2-115. Powers and duties of agents definition. (1) An agent appointed by the attorney		
14	general pursuant to this part is a peace officer and:		
15	(1)(a) shall provide investigative assistance to city, county, state, and federal law enforcement		
16	agencies at their request in accordance with rules adopted by the department of justice;		
17	(2)(b) shall must SHALL have concurrent jurisdiction with local law enforcement agencies to investigate		
18	offenses involving:		
19	(i) dangerous drugs, as provided in Title 45, chapter 9, and;		
20	(ii) violations that constitute organized criminal activity;		
21	(iii) human trafficking, as defined in 45-5-701;		
22	(iv) prostitution or patronizing a prostitute, as provided in 45-5-601; or		
23	(v) internet crimes against children;		
24	(3)(c) shall investigate gambling activities in this state, as provided in 23-5-113;		
25	(4)(d) shall investigate any apparent violations of penal statutes disclosed by an audit of a state		
26	agency by the legislative auditor;		
27	(5)(e) shall investigate apparent violations of penal statutes referred by the state workers'		
28	compensation insurance fund; and		



1	(6) (<u>f)</u>	shall assist whenever possible any law enforcement school held in the state for law	
2	enforcement officers when requested.		
3	<u>(2)</u>	For the purposes of this section, "internet crimes against children" means the use of an	
4	electronic device or electronic communication to commit or facilitate the commission of a crime against a chil		
5	including:		
6	<u>(a)</u>	sexual assault, as defined in 45-5-502;	
7	<u>(b)</u>	sexual intercourse without consent, as defined in 45-5-503;	
8	<u>(c)</u>	indecent exposure, as defined in 45-5-504;	
9	<u>(d)</u>	aggravated sexual intercourse without consent, as defined in 45-5-508;	
10	<u>(e)</u>	sexual abuse of children, as defined in 45-5-625;	
11	<u>(f)</u>	child sex trafficking, as defined in 45-5-711; and	
12	<u>(g)</u>	any other offense in which a person uses technology to commit or facilitate a crime against a	
13	child."		
14		- END -	

