

HOUSE BILL NO. 104

INTRODUCED BY E. ALBUS

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING POWERS AND DUTIES OF AGENTS; ADDING HUMAN TRAFFICKING, PROSTITUTION, AND INTERNET CRIMES AGAINST CHILDREN TO THE LIST OF OFFENSES AN AGENT APPOINTED BY THE ATTORNEY GENERAL HAS CONCURRENT JURISDICTION TO INVESTIGATE; PROVIDING A DEFINITION; AND AMENDING SECTION 44-2-115, MCA."

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

Section 1. Section 44-2-115, MCA, is amended to read:

"44-2-115. Powers and duties of agents -- definition. (1) An agent appointed by the attorney general pursuant to this part is a peace officer and:

(1)(a) shall provide investigative assistance to city, county, state, and federal law enforcement agencies at their request in accordance with rules adopted by the department of justice;

(2)(b) ~~shall~~ ~~must~~ SHALL have concurrent jurisdiction with local law enforcement agencies to investigate offenses involving:

(i) dangerous drugs, as provided in Title 45, chapter 9, ~~and;~~

(ii) violations that constitute organized criminal activity;

(iii) human trafficking, as defined in 45-5-701;

(iv) prostitution or patronizing a prostitute, as provided in 45-5-601; or

(v) internet crimes against children;

(3)(c) shall investigate gambling activities in this state, as provided in 23-5-113;

(4)(d) shall investigate any apparent violations of penal statutes disclosed by an audit of a state agency by the legislative auditor;

(5)(e) shall investigate apparent violations of penal statutes referred by the state workers' compensation insurance fund; and

