

HOUSE BILL NO. 172

INTRODUCED BY J. O'HARA

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING AN ATTORNEY WHO IS A MEMBER OF THE MONTANA STATE BAR TO SERVE AS A JUDGE PRO TEMPORE WHEN A MUNICIPAL COURT JUDGE IS SICK, DISQUALIFIED, OR UNABLE TO ACT; AND AMENDING SECTION 3-6-204, MCA."

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

**Section 1.** Section 3-6-204, MCA, is amended to read:

**"3-6-204. Disqualification -- judge pro tempore.** When a judge of a municipal court has been disqualified or is sick or unable to act, the judge shall call in a sitting or retired judge of a court of record or an attorney who ~~has been~~ is a member of the state bar of Montana ~~for 5 or more years~~ to act as a judge pro tempore. The judge pro tempore has the same power and authority as the municipal court judge."

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