

1 HOUSE BILL NO. 19

2 INTRODUCED BY E. HILL

3 BY REQUEST OF THE LAW AND JUSTICE INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE AUTHORITY OF THE GOVERNOR TO CHANGE
6 THE PRESIDING OFFICER OF THE BOARD OF PARDONS AND PAROLE; AND AMENDING SECTION
7 2-15-2302, MCA."

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

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11 **Section 1.** Section 2-15-2302, MCA, is amended to read:

12 **"2-15-2302. Board of pardons and parole -- composition -- allocation -- quasi-judicial.** (1) There
13 is a board of pardons and parole.

14 (2) (a) The board consists of seven members, each of whom must have knowledge of American Indian
15 culture and problems gained through training as required by rules adopted by the board. One member must be
16 an enrolled member of a state-recognized or federally recognized Indian tribe located within the boundaries of
17 the state of Montana. The tribal member may not be required to hear and act on all American Indian applications
18 before the board.

19 (b) Board members must have knowledge of serious mental illness and recovery from serious mental
20 illness gained through annual training as required by rules adopted by the board. One member must be a mental
21 health professional as defined in 53-21-102.

22 (c) Board members must possess academic training that has qualified them for professional practice in
23 a field such as criminology, education, medicine, psychiatry, psychology, law, social work, sociology, psychiatric
24 nursing, or guidance and counseling. Related work experience in the areas listed may be substituted for these
25 educational requirements.

26 (3) The governor shall attempt to establish geographic balance among board members.

27 (4) Board members shall serve staggered 4-year terms. The governor shall appoint three members in
28 January of the first year of the governor's term, two members in January of the second year of the governor's
29 term, and two members in January of the third year of the governor's term. The provisions of 2-15-124(2) do not
30 apply to the board.

