

HOUSE BILL NO. 238

INTRODUCED BY T. MANZELLA, S. BERGLEE, B. BROWN, G. DEVRIES, D. DUNN, N. DURAM,
F. GARNER, D. SKEES, B. TSCHIDA, B. USHER, S. VINTON

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS REGARDING PENALTIES FOR FALSELY
REPORTING CRIMES; AND AMENDING SECTION 45-7-205, MCA."

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

Section 1. Section 45-7-205, MCA, is amended to read:

"45-7-205. False reports to ~~law enforcement authorities~~ PEACE OFFICERS. (1) A person commits an
offense under this section if the person knowingly:

(a) gives false information to any ~~law enforcement~~ PEACE officer with the purpose to implicate another;

(b) reports to ~~law enforcement authorities~~ A PEACE OFFICER an offense or other incident within ~~their~~ THE
OFFICER'S concern knowing that it did not occur; or

(c) pretends to furnish ~~law enforcement authorities~~ A PEACE OFFICER with information relating to an
offense or incident when the person knows that the person has no information relating to the offense or incident.

(2) A person convicted under this section ~~shall~~ MAY SHALL be ~~fined not to exceed \$500 or be imprisoned~~
~~in the county jail for any term not to exceed 6 months, or both sentenced according to the penalty for the crime~~
~~that was falsely reported, except a person may not be sentenced to life imprisonment, life imprisonment without~~
~~the possibility of parole, or death under this section:~~

(A) IF THE CRIME FALSELY REPORTED WAS A MISDEMEANOR, SENTENCED TO NOT MORE THAN 6 MONTHS IN THE
COUNTY JAIL OR FINED NOT MORE THAN \$500, OR BOTH; OR

(B) IF THE CRIME FALSELY REPORTED WAS A FELONY, SENTENCED TO NOT MORE THAN 4 YEARS IN THE STATE
PRISON OR FINED NOT MORE THAN \$10,000, OR BOTH."

- END -