

1 HOUSE BILL NO. 415
2 INTRODUCED BY A. REGIER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING WHO A JUDGE MAY ADMIT TO BAIL; LIMITING A
5 JUDGE'S ABILITY TO PROVIDE BAIL TO A DEFENDANT ON A WARRANT FROM ANOTHER
6 JURISDICTION; AND AMENDING SECTION 46-9-201, MCA."

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

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10 **Section 1.** Section 46-9-201, MCA, is amended to read:

11 **"46-9-201. Who may admit to bail.** A judge may admit to bail any defendant properly appearing
12 before the judge in a bail proceeding unless the defendant is on a warrant from another jurisdiction. When
13 bound over to any court or judge having jurisdiction of the offense charged, bail must be continued provided
14 that the court or judge having jurisdiction may increase, reduce, or substitute bail unless the defendant is on a
15 warrant from another jurisdiction. On appeal, a judge before whom the trial was had or a judge having the
16 power to issue a writ of habeas corpus may admit the defendant to bail. For the purposes of this section, a
17 defendant's appearance before a judge may be either by physical appearance before the court or by two-way
18 electronic audio-video communication as provided in 46-9-206."

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