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SENATE BILL NO. 16

INTRODUCED BY M. NOLAND

BY REQUEST OF THE SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LEGISLATIVE COMMITTEE TO HOLD IN CONTEMPT A WITNESS WHO REFUSES TO COMPLY WITH A LEGISLATIVE SUBPOENA; AMENDING SECTION 5-5-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 5-5-109, MCA, is amended to read:

"5-5-109. Contempt -- misdemeanor. (1) If a witness neglects or refuses to obey a subpoena or, appearing, neglects or refuses to testify, ~~the a legislative committee of either the senate or the house, or a joint legislative committee,~~ may, by ~~resolution entered on the journal,~~ majority vote, commit the witness for contempt.

(2) If a person compelled to produce records under 5-5-107(3) neglects or refuses to obey a subpoena, ~~the a legislative committee of either the senate or the house, or a joint legislative committee,~~ may, by ~~resolution entered on the journal,~~ majority vote, commit the witness for contempt.

(3) A person who neglects or refuses to obey a subpoena under subsection (1) or (2) is guilty of a misdemeanor punishable as provided in 46-18-212."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -