

YMCA YOUTH LEGISLATURE OF THE STATE OF MONTANA

_____ Bill Number _____

Legislative Action:

Introduced by: Tiernee Calnan
Authored by: Tiernee Calnan

House Committee: _____
House: _____
Senate Committee: _____
Senate: _____
Governor: _____

Delegation: Jefferson High School

Referred to Committee: _____

1 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE PUNISHMENT
2 GUIDELINES OF THOSE CONVICTED OF VEHICULAR HOMICIDE WHILE UNDER
3 THE INFLUENCE EQUAL TO THOSE CONVICTED OF DELIBERATE HOMICIDE;
4 AMENDING SECTION 45-5-106, MCA; AND PROVIDING A EFFECTIVE DATE OF JULY
5 1, 2009."

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7 BE IT ENACTED BY THE MONTANA YMCA YOUTH LEGISLATURE:

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9 **Section 1.** Section 45-5-106 is amended to read:

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11 **"45-5-106. Vehicular homicide while under the influence.** (1) A person commits the
12 offense of vehicular homicide while under the influence if the person negligently causes the
13 death of another human being while the person is operating a vehicle in violation of 61-8-401 or
14 61-8-406.

15 (2) Vehicular homicide while under the influence ~~is not an~~ can be included in the offense
16 of deliberate homicide as described in 45-5-102(1)(b)

17 (3) A person convicted of vehicular homicide while under the influence shall be
18 ~~imprisoned in a state prison for a term not to exceed 30 years or be fined an amount not to~~
19 ~~exceed \$50,000, or both. Imposition of a sentence may not be deferred~~ punished by death as
20 provided in 46-18-301 through 46-18-310, unless the person is less than 18 years of age at the
21 time of the commission of the offense, by life imprisonment, or by imprisonment in the state
22 prison for a term of not less than 10 years or more than 100 years, except as provided in 46-18-
23 219 and 46-18-222."

24
25 **Section 2. Effective date.** This bill, upon passage, will become effective July 1, 2009.

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27 **-end-**