

SENATE BILL NO. 333

INTRODUCED BY B. MOLNAR

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO DRUG AND HUMAN TRAFFICKING; PROVIDING A REWARD FOR INFORMATION LEADING TO THE CONVICTION OF DRUG AND HUMAN TRAFFICKERS; REQUIRING A SIGN PROCLAIMING A REWARD AT ALL PORTS OF ENTRY, AIRPORTS, RAILWAY STATIONS, AND BUS DEPOTS; AND PROVIDING AN EXEMPTION FROM TAXATION FOR REWARD FUNDS."

WHEREAS, Montana's law enforcement of all types is spread thin over 147,040 square miles; and

WHEREAS, like all states and territories, Montana is experiencing a "Meth Epidemic"; and

WHEREAS, all illegal drugs are a scourge on Montana; and

WHEREAS, Montana is involved in several lawsuits against pharmaceutical companies regarding opiate deaths, injuries, and damages; and

WHEREAS, Montana may receive significant sums of money following trial or settlement of these lawsuits; and

WHEREAS, these funds should be spent on combatting the problems caused by illegal drugs, drug smuggling, and human trafficking in Montana; and

WHEREAS, human trafficking destroys all that come in contact with it; and

WHEREAS, drug smugglers and human traffickers rely on a culture of trust between coperpetrators; and

WHEREAS, the easiest way to make drug smugglers and human traffickers stop doing business in Montana is to destroy their culture of trust.

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

NEW SECTION. Section 1. Trafficking of illegal drugs -- reward -- creation of sign. (1) (a) A person, NOT INCLUDING PEACE OFFICERS, PROSECUTORS, OR JUDICIAL OFFICERS, who furnishes information to law

enforcement officers leading to the conviction for any of the following must be paid a reward of \$50,000:

(i) any offense under Title 45, chapter 9, part 1;

(ii) any felony related to the illegal trafficking or distribution of any Schedule I drugs under 50-32-222, except marijuana, or any Schedule II drugs under 50-32-224 WITH A STREET VALUE OF AT LEAST \$10,000 AS DETERMINED BY THE PROSECUTOR; or

(iii) any felony related to human trafficking as defined in 45-5-701.

(b) The department of justice shall pay the reward provided for in subsection (1)(a).

(C) THE DEPARTMENT OF JUSTICE SHALL DEVELOP A SECURE SYSTEM FOR RECEIVING AND VERIFYING TIPS TO LAW ENFORCEMENT.

(2) The department of justice shall create a sign proclaiming the \$50,000 reward as provided in subsection (1):

(a) ~~measuring at least 4 feet by 8 feet that must be posted~~ THAT IS THE SAME STANDARD SIZE AS THE "WELCOME TO MONTANA" SIGNS POSTED at all ports of entry into the state; and

(b) in a size-appropriate manner, with permission in airports as defined in 67-1-101, railway stations or terminals, and bus stations or terminals.

(3) The reward is exempt from garnishment, restitution, attorney fees, and state taxation.

(4) The identity of an informant is not required if:

(a) disclosure would result in substantial risk to the informant or to the informant's family; or

(b) maintaining informant confidentiality prevents a successful prosecution and the informant may not receive a reward.

(5) If more than one family member or partner as defined in 45-5-206(2) gives information leading to a conviction only one reward may be given.

(6) Except as provided in subsection (5), if more than one person gives information leading to a conviction and the total reward for one conviction exceeds \$100,000, the prosecutor shall decide how to divide the reward on an equitable basis.

NEW SECTION. Section 2. Reward proceeds for information leading to conviction for drug and human trafficking. All payments made under [section 1] are exempt from state taxation under this chapter.

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2 NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an

3 integral part of Title 44, chapter 4, and the provisions of Title 44, chapter 4, apply to [section 1].

4 (2) [Section 2] is intended to be codified as an integral part of Title 15, chapter 30, part 21, and the

5 provisions of Title 15, chapter 30, part 21, apply to [section 2].

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