69th Legislature 2025 HB 425.1

1	HOUSE BILL NO. 425
2	INTRODUCED BY G. PARRY
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR LIABILITY OF A PEACE OFFICER FOR
5	DAMAGES AND INJURIES CAUSED BY AN IMPROPER SEARCH AND PURSUING A SUSPECT INTO A
6	DWELLING OR OTHER BUILDING WHERE THE SUSPECT DOES NOT RESIDE."
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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10	NEW SECTION. Section 1. Liability of peace officer for damages and injuries caused by illegal
11	search or illegal entry into property. A peace officer as defined in 45-2-101 or the law enforcement agency
12	employing the peace officer is liable for all property damage and injuries to the occupants:
13	(1) caused by entry into the wrong dwelling or other building from what is specified in a search
14	warrant;
15	(2) caused by pursuing a suspect into the dwelling or other building of a person who is not the
16	suspect; or
17	(3) caused when a suspect takes the occupants of a dwelling or other building hostage in the
18	apprehension or attempted apprehension of the suspect.
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20	NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
21	integral part of Title 27, chapter 1, part 7, and the provisions of Title 27, chapter 1, part 7, apply to [section 1].
22	- END -

