



AN ACT REVISING LAWS RELATED TO TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE;
ESTABLISHING A PENALTY FOR TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE IN
CONNECTION WITH A HOMICIDE; AND AMENDING SECTION 45-7-207, MCA.

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

Section 1. Section 45-7-207, MCA, is amended to read:

"45-7-207. Tampering with or fabricating physical evidence -- penalties. (1) A person commits the offense of tampering with or fabricating physical evidence if, believing that an official proceeding or investigation is pending or about to be instituted, the person:

(a) alters, destroys, conceals, or removes any record, document, or thing with purpose to impair its verity or availability in the proceeding or investigation; or

(b) makes, presents, or uses any record, document, or thing knowing it to be false and with purpose to mislead any person who is or may be engaged in the proceeding or investigation.

(2) (a) A-Except as provided in subsection (2)(b), a person convicted of tampering with or fabricating physical evidence shall be imprisoned in the state prison for a term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both.

(b) A person convicted of tampering with or fabricating physical evidence in connection with a homicide or homicide investigation and who in so doing affected the ability of a coroner or medical examiner to determine either a cause of death or manner of death, or both, shall be imprisoned in the state prison for a term not to exceed 40 years or be fined an amount not to exceed \$100,000, or both."

- END -

I hereby certify that the within bill,
HB 44, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE BILL NO. 44

INTRODUCED BY D. BAUM

BY REQUEST OF THE LAW AND JUSTICE INTERIM COMMITTEE

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