



AN ACT ESTABLISHING EVIDENTIARY SEIZURE GUIDELINES FOR LAW ENFORCEMENT WEAPONS IN OFFICER-INVOLVED SHOOTINGS; AND REQUIRING THE EXPEDITED RETURN OF LAW ENFORCEMENT WEAPONS UNDER CERTAIN CONDITIONS AFTER AN INVESTIGATION IS COMPLETE.

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

Section 1. Evidentiary seizure of law enforcement weapons. (1) When law enforcement is involved in an officer-involved shooting, the law enforcement officer's weapon involved in the shooting must be collected by investigators to be photographed and turned over to the state laboratory of criminalistics for test firing, collection of cartridge cases and rounds of ammunition, and to document the unique characteristics of the weapon.

(2) After an investigation is complete and no appeals are pending or no criminal charges are filed or are presently contemplated against the law enforcement officer, a weapon collected for evidence testing pursuant to subsection (1) or collected as part of a coroner's inquest pursuant to 46-4-201 must be returned within 7 days by whichever entity is appropriate to the law enforcement agency from which it was collected for redeployment in the field.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 44, chapter 3, part 3, and the provisions of Title 44, chapter 3, part 3, apply to [section 1].

- END -

I hereby certify that the within bill,
SB 288, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2025.

Speaker of the House

Signed this _____ day
of _____, 2025.

SENATE BILL NO. 288

INTRODUCED BY D. LOGE

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