

1 HOUSE BILL NO. 458

2 INTRODUCED BY E. STAFMAN

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE CRIME OF
5 IMPERSONATION OF A PUBLIC SERVANT; PROVIDING EXCEPTIONS; AND AMENDING SECTION 45-7-
6 209, MCA."

7

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

9

10 **Section 1.** Section 45-7-209, MCA, is amended to read:11 **"45-7-209. Impersonation of public servant.** (1) A person commits the offense of impersonating a
12 public servant if the person:13 (a) falsely pretends to hold a position in the public service with the purpose to induce another
14 individual to submit to the pretended official authority or otherwise to act in reliance upon that pretense to the
15 individual's prejudice;16 (b) falsely assumes or exercises the functions, powers, duties, or privileges incident to the office of a
17 sheriff, police officer, or other peace officer; or18 (c) knowingly wears in public a prescribed uniform of the armed forces of the United States or the
19 national guard, the distinctive part of a uniform, or a uniform in which any part is similar to a distinctive part of a
20 uniform of the armed forces of the United States or the national guard with the intent:21 (i) to intimidate a person, or in circumstances in which the wearer knows or should know that a
22 reasonable person would feel intimidated; or23 (ii) to deceive a person about the wearer's membership in the armed forces of the United States or the
24 national guard, or in circumstances in which the wearer knows or should know that a reasonable person would
25 be deceived about the wearer's membership in the armed forces of the United States or the national guard.26 (2) A person convicted of impersonating a public servant shall be fined not to exceed \$5,000 or be
27 imprisoned in the state prison for any term not to exceed 5 years, or both."

28

- END -