

HOUSE BILL NO. 633

INTRODUCED BY D. MORTENSEN, D. ZOLNIKOV

1  
2  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO FILMING LAW ENFORCEMENT  
5 OFFICERS DURING CONDUCT OF OFFICIAL DUTIES; REQUIRING A PERMIT TO FILM ON PRIVATE  
6 PROPERTY; PROVIDING PENALTIES; DEFINING "LAW ENFORCEMENT OFFICER"; AND REQUIRING  
7 RELEASE WAIVERS FOR CERTAIN PERSONS."

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

10  
11 NEW SECTION. **Section 1. Permit to film law enforcement activities -- regulation.** (1) A person  
12 employed by or for or contracting directly or indirectly with a television or film production company may not  
13 accompany and film for distribution a law enforcement officer conducting official duties on private property unless  
14 the person or the television or film production company has obtained from the department of commerce a permit  
15 to film law enforcement activities.

16 (2) An application for a permit to film law enforcement activities must be made on a form prescribed by  
17 the department of commerce. A person or television or film production company shall obtain a permit for each  
18 law enforcement agency whose officer the person or company will accompany and film.

19 (3) A permit must be issued upon application and payment of a \$100 fee. A permit is valid for 6 months.

20 (4) A permit issued under this section does not obligate a law enforcement agency to allow a law  
21 enforcement officer to be accompanied and filmed during conduct of official duties on private property. A law  
22 enforcement agency that allows a law enforcement officer to be accompanied and filmed retains full control over  
23 the content of any recording and must approve its use and any edited version of the content before the content  
24 or edited content may be aired.

25 (5) A person or television or film production company that obtains a permit pursuant to this section shall  
26 obtain a release waiver from any person who is filmed interacting with a law enforcement officer.

27 (6) A person or television or film production company that violates this section is subject to a civil penalty  
28 of \$500. The affected law enforcement agency may collect the penalty in the manner provided for the collection  
29 of other debts.

30 (7) For the purposes of this section, the term "law enforcement officer" means a law enforcement officer

1 certified by the Montana public safety officer standards and training council.

2

3 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
4 integral part of Title 30, and the provisions of Title 30 apply to [section 1].

5 - END -