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RESOLUTION 2022-07

## PAYMENT OF WITNESS FEES

It is the intent of the Montana Association of Counties to amend laws pertaining to payment of witness fees to compel the State of Montana to reimburse counties for the expenses incurred on the State's behalf.

**WHEREAS** Montana's county attorneys prosecute cases on behalf of the State of Montana; and

**WHEREAS** the successful prosecution of cases often involves witness testimony; and

**WHEREAS** MCA 26-2-506(2)(b) requires that counties pay these witness fees; and

**WHEREAS** MCA 26-2-506(2)(c) states Montana's Attorney General may reimburse a county for these fees and compensation.

**NOW, THEREFORE BE IT RESOLVED** that the Montana Association of Counties will seek to amend MCA 26-2-506(2)(c) to clarify that Montana's Attorney General shall reimburse a county for expenses, fees, and compensation of a witness up to the amount of actual witness expenses.

<b>SPONSOR:</b>	GALLATIN COUNTY
<b>REFERRED TO:</b>	JUSTICE & PUBLIC SAFETY COMMITTEE (JPS)
<b>ADOPTED:</b>	ANNUAL CONFERENCE – SEPTEMBER 28, 2022