



Summary of HB 234, HB 744, and HB 745

HB 234, Rep. Bob Phalen - Revise laws regarding public display or dissemination of obscene material to minors.

Effective Date: May 10, 2023

HB 234 amends sections 45-8-201, 45-8-205, & 45-8-206, MCA, Section 45-9-201, MCA, titled obscenity is amended and grants school districts permission to adopt ordinances, resolutions, or policies that are more restrictive when defining obscenity than provided in the section. Amendments to section 45-8-205, MCA, adds a definition of “commercial establishment,” and modifies the definition of the word “newsstand,” clarifying that neither definition includes a school, library, or museum. Finally, section 45-8-206, MCA, or public display or dissemination of obscene material to minors, is amended to remove exceptions for employees and officers, and for the display of nudity for a bona fide scientific or medical purpose in a school, library, or museum. This section is additionally modified to grant cities, towns, counties, or school districts the power to adopt ordinances, resolutions, or policies which are more restrictive regarding the display or dissemination of obscene material to minors.

HB 744, Rep. Greg Kmetz - Revise laws to protect religious expression for students and teachers

Effective Date: April 26, 2023

HB 744 amends section 20-7-122, MCA, titled sectarian publications prohibited and prayer permitted. This amendment dictates that students are not prohibited from initiating or participating in a conversation about religion, religious beliefs, or religious practices with another student or teacher.

HB 745, Rep. Greg Kmetz - Revise laws related to religious materials and prayer in schools

Effective Date: July 1, 2023

HB 745 amends section 20-7-122, MCA, titled sectarian publications prohibited – religious materials allowed – prayer permitted. The amendment permits pupils to read the Bible or other religious materials during free reading time or self-selected reading and permits prayer at schools, on school grounds, and at school-sponsored events so long as students are not compelled to pray.

