

HOUSE BILL 132

Introduced by D. Brown

1/09	Introduced
1/09	Referred to Judiciary
1/10	First Reading
1/16	Hearing
1/16	Committee Report--Bill Passed
1/18	2nd Reading Passed
1/21	3rd Reading Passed
	Transmitted to Senate
1/22	First Reading
1/22	Referred to Judiciary
1/29	Hearing
1/31	Committee Report--Bill Concurred
2/04	Rereferred to Judiciary
3/19	Tabled in Committee

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HOUSE BILL NO. 132
INTRODUCED BY Steve Gran

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PLAINTIFF TO CHOOSE THE PLACE OF TRIAL FOR A TORT ACTION WHEN NONE OF THE DEFENDANTS ARE STATE RESIDENTS; IMPLEMENTING THE MONTANA SUPREME COURT'S DECISION IN HAUG V. BURLINGTON NORTHERN RAILROAD COMPANY, 236 M 368, 770 P.2D 517 (1989); AND AMENDING SECTION 25-2-122, MCA."

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

Section 1. Section 25-2-122, MCA, is amended to read:

"25-2-122. Torts. The proper place of trial for a tort action is:

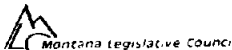
(1) the county in which the defendants, or any of them, reside at the commencement of the action; or

(2) any county the plaintiff designates in the complaint when none of the defendants are state residents;

or

~~(2)~~(3) the county where the tort was committed. If the tort is interrelated with and dependent upon a claim for breach of contract, the tort was committed, for the purpose of determining the proper place of trial, in the county where the contract was to be performed."

-End-



INTRODUCED BILL
HB 132

APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 132
2 INTRODUCED BY [Signature]

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PLAINTIFF TO
5 CHOOSE THE PLACE OF TRIAL FOR A TORT ACTION WHEN NONE OF THE
6 DEFENDANTS ARE STATE RESIDENTS; IMPLEMENTING THE MONTANA
7 SUPREME COURT'S DECISION IN HAUG V. BURLINGTON NORTHERN
8 RAILROAD COMPANY, 236 M 368, 770 P.2D 517 (1989); AND
9 AMENDING SECTION 25-2-122, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 25-2-122, MCA, is amended to read:

13 "25-2-122. Torts. The proper place of trial for a tort
14 action is:

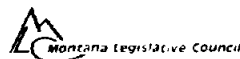
15 (1) the county in which the defendants, or any of them,
16 reside at the commencement of the action; or

17 (2) any county the plaintiff designates in the
18 complaint when none of the defendants are state residents;

19 or

20 ~~(2)~~(3) the county where the tort was committed. If the
21 tort is interrelated with and dependent upon a claim for
22 breach of contract, the tort was committed, for the purpose
23 of determining the proper place of trial, in the county
24 where the contract was to be performed."

-End-



SECOND READING

HB 132

1 HOUSE BILL NO. 132
2 INTRODUCED BY Paul Bran

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PLAINTIFF TO
5 CHOOSE THE PLACE OF TRIAL FOR A TORT ACTION WHEN NONE OF THE
6 DEFENDANTS ARE STATE RESIDENTS; IMPLEMENTING THE MONTANA
7 SUPREME COURT'S DECISION IN HAUG V. BURLINGTON NORTHERN
8 RAILROAD COMPANY, 236 M 368, 770 P.2D 517 (1989); AND
9 AMENDING SECTION 25-2-122, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 25-2-122, MCA, is amended to read:

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14 action is:

15 (1) the county in which the defendants, or any of them,
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18 complaint when none of the defendants are state residents;

19 or

20 ~~(2)~~(3) the county where the tort was committed. If the
21 tort is interrelated with and dependent upon a claim for
22 breach of contract, the tort was committed, for the purpose
23 of determining the proper place of trial, in the county
24 where the contract was to be performed."

-End-



THIRD READING
HB 132