CIVIL

Pre-Trial Decision

23. **Constitutionality of Statutes**

The Court's review of constitutional questions is plenary. **Williams v. Bd. of County Comm'rs**, 2013 MT 243, ¶ 23, 371 Mont. 356, 308 P.3d 88. Legislative enactments are presumed to be constitutional, and the party challenging the provision has the burden of proving beyond a reasonable doubt that it is unconstitutional. **Williams**, ¶ 23. The severability of an unconstitutional provision from a statute is a matter of statutory interpretation, which we review for correctness. **Williams**, ¶ 23.