



Approved by Comm.  
on Local Government

1 HOUSE BILL NO. 211  
2 INTRODUCED BY GILLIGAN, MENAHAN, LESTER,  
3 JACK MOORE, TROPILA  
4

1 judgment MADE SUCH PROCESS OR ATTACHMENT IN A REASONABLE  
2 MANNER."

-End-

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
6 16-2714, R.C.M. 1947, TO LIMIT THE LIABILITY OF SHERIFFS IN  
7 RESPECT TO SERVICE OF PROCESS AND LEVY OF ATTACHMENT."  
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10 Section 1. Section 16-2714, R.C.M. 1947, is amended to  
11 read as follows:

12 "16-2714. Direction to sheriff must be in writing. No  
13 direction or authority by a party or his attorney to a  
14 sheriff, in respect to the execution of process or return  
15 thereof, or any act or omission relating thereto, is  
16 available to discharge or excuse the sheriff from a  
17 liability for neglect or misconduct, unless it is contained  
18 in a writing signed by the attorney of the party or by the  
19 party. No sheriff shall be liable in any way for debts,  
20 charges, bills, fees, or expenses of any nature, arising  
21 from the execution of any lawful process or the levy of any  
22 attachment as provided for in section 93-4313, whether  
23 authorized or contracted by either plaintiff or defendant or  
24 their attorneys, if in the execution of said process or  
25 attachment, the sheriff has--exercised--good--and--proper

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