

SENATE BILL 348

IN THE SENATE

February 2, 1979	Introduced and referred to Committee on Judiciary.
February 19, 1979	Committee recommend bill, as amended.
February 20, 1979	Printed and placed on members' desks.
February 21, 1979	Second reading, as amended. On motion, segregated from report of Committee of the Whole.
February 22, 1979	Considered correctly engrossed.
February 23, 1979	Third reading, passed.

IN THE HOUSE

February 27, 1979	Introduced and referred to Committee on Judiciary.
March 19, 1979	Committee recommend bill, as amended, not concurred.
March 20, 1979	Report adopted.

IN THE SENATE

March 21, 1979	Returned from House, not concurred, as amended.
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Amie Van Valkenburg BILL NO. 348

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 27-1-323, MCA, TO PROVIDE FOR DAMAGES IN WRONGFUL DEATH ACTIONS."

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

Section 1. Section 27-1-323, MCA, is amended to read:

"27-1-323. Wrongful death. In every action under 27-1-512 and 27-1-513, such damages may be given as under all the circumstances of the case may be just. The verdict or judgment shall include but may not be limited to damages for the following:

(1) sorrow, mental anguish, grief, and solace which may include the society, companionship, comfort, guidance, kindly offices, and advice of the decedent;

(2) compensation for reasonably expected loss of:

(a) income of the decedent; and

(b) services, protection, care, and assistance provided by the decedent;

(3) expenses for the care, treatment, and hospitalization of the decedent incident to the injuries resulting in death; and

(4) reasonable funeral expenses."

1 SENATE BILL NO. 348
 2 INTRODUCED BY VAN VALKENBURG
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 27-1-323, MCA, TO PROVIDE FOR DAMAGES IN WRONGFUL DEATH
 6 ACTIONS; PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Section 1. Section 27-1-323, MCA, is amended to read:
 10 "27-1-323. Wrongful death. In every action under
 11 27-1-512 and 27-1-513, such damages may be given as under
 12 all the circumstances of the case may be just. The verdict
 13 or judgment shall MAY include but may not be limited to
 14 damages for the following:
 15 (1) sorrow, mental anguish, grief, and solace which
 16 may include OF THE PARENTS, SPOUSE, OR CHILDREN OF THE
 17 DECEDENT;
 18 (2) the society, companionship, comfort, guidance,
 19 kindly offices, and advice of the decedent;
 20 (3) compensation for reasonably expected loss of:
 21 (a) income of the decedent; and
 22 (b) services, protection, care, and assistance
 23 provided by the decedent;
 24 (4) expenses for the care, treatment, and
 25 hospitalization of the decedent incident to the injuries

1 resulting in death; and
 2 (5) reasonable funeral expenses."
 3 SECTION 2. APPLICATION. THIS ACT APPLIES ONLY TO
 4 CAUSES OF ACTION ARISING ON OR AFTER THE EFFECTIVE DATE OF
 5 THIS ACT.
 6 SECTION 3. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
 7 PASSAGE AND APPROVAL.

-End-

SENATE BILL NO. 348

INTRODUCED BY VAN VALKENBURG

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 27-1-323, MCA, TO PROVIDE FOR DAMAGES IN WRONGFUL DEATH ACTIONS; PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 27-1-323, MCA, is amended to read:

"27-1-323. Wrongful death. In every action under 27-1-512 and 27-1-513, such damages may be given as under all the circumstances of the case may be just. The verdict or judgment shall MAY include but may not be limited to damages for the following:

(1) sorrow, mental anguish, grief, and solace which may include OF THE PARENTS, SPOUSE, OR CHILDREN OF THE DECEDENT;

(2) the society, companionship, AND comfort, guidance, kindly offices, and advise of the decedent;

(3) compensation for reasonably expected loss of:

(a) income of the decedent; and

(b) services, protections, care, and assistance provided by the decedent;

(4) expenses for the care, treatment, and hospitalization of the decedent incident to the injuries

resulting in death; and

(5) reasonable funeral expenses."

SECTION 2. APPLICATION. THIS ACT APPLIES ONLY TO CAUSES OF ACTION ARISING ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

SECTION 3. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-