

House Bill 93

In The House

January 6, 1981	Introduced and referred to Committee on Judiciary. On motion by Chief Sponser 5 Representatives were added as authors to the pre-filed bill.
January 16, 1981	Committee recommend bill do pass as amended.
January 19, 1981	Bill printed and placed on members' desks. Second reading do pass as amended.
January 20, 1981	Correctly engrossed. Third reading passed.

In The Senate

January 21, 1981	Introduced and referred to Committee on Judiciary.
March 16, 1981	Committee recommend bill not concurred.

In The House

March 17, 1981	Returned from Senate not concurred.
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1 HOUSE BILL NO. 93
2 INTRODUCED BY BENNETT

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING INTEREST FOR
5 DAMAGE RESULTING FROM INJURY TO PERSONS OR PROPERTY AND
6 COMPUTING THE INTEREST FROM THE DATE OF THE INJURY; AMENDING
7 SECTION 27-1-211, MCA; AND PROVIDING AN APPLICABILITY DATE
8 AND AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 27-1-211, MCA, is amended to read:

12 "27-1-211. Right to interest. (1) Every person who is
13 entitled to recover damages certain or capable of being made
14 certain by calculation and the right to recover which is
15 vested in him upon a particular day is entitled also to
16 recover interest thereon from that day except during such
17 time as the debtor is prevented by law or by the act of the
18 creditor from paying the debt.

19 ~~(2) Every person who is entitled to recover damages~~
20 ~~for injury to property, including business loss, is entitled~~
21 ~~to recover interest from the date of the injury.~~

22 ~~(3) Every person who is entitled to recover damages~~
23 ~~for personal injury, survival, or wrongful death is entitled~~
24 ~~to recover interest from the date of the injury."~~

25 Section 2. Applicability. This act applies to all

1 judgments entered after its effective date.

2 Section 3. Effective date. This act is effective on
3 passage and approval.

-End-

HB 93

Approved by Committee
on Judiciary

1 HOUSE BILL NO. 93
 2 INTRODUCED BY BENNETT, KEEDY,
 3 DAILY, PAVLOVICH, SPILKER, WINSLOW
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING INTEREST FOR
 6 DAMAGE RESULTING FROM INJURY TO PERSONS OR PROPERTY AND
 7 COMPUTING THE INTEREST FROM THE DATE OF THE INJURY; AMENDING
 8 SECTION ~~25-9-204~~ AND 27-1-211, MCA; AND PROVIDING AN
 9 APPLICABILITY DATE AND AN EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 27-1-211, MCA, is amended to read:
 13 "27-1-211. Right to interest. (1) Every person who is
 14 entitled to recover damages certain or capable of being made
 15 certain by calculation and the right to recover which is
 16 vested in him upon a particular day is entitled also to
 17 recover interest thereon from that day except during such
 18 time as the debtor is prevented by law or by the act of the
 19 creditor from paying the debt.

20 ~~(2) Every person who is entitled to recover damages~~
 21 ~~for injury to property, including business loss, is entitled~~
 22 ~~to recover interest from the date of the injury.~~

23 ~~(3) Every person who is entitled to recover damages~~
 24 ~~for personal injury, survival, or wrongful death is entitled~~
 25 ~~to recover interest from the date of the injury."~~

1 ~~SECTION 2. SECTION 25-9-204, MCA, IS AMENDED TO READ:~~
 2 "25-9-204. Clerk to include interest in judgment. The
 3 clerk must include in the judgment entered up by him any
 4 interest on the verdict or decision of the court, from the
 5 time it was rendered or made ~~or, when applicable, from the~~
 6 ~~time specified in 27-1-211(2)."~~
 7 Section 3. Applicability. This act applies to all
 8 judgments entered after its effective date.
 9 Section 4. Effective date. This act is effective on
 10 passage and approval.

-End-

SECOND READING

1 HOUSE BILL NO. 93

2 INTRODUCED BY BENNETT, KEEDY,

3 DAILY, PAVLOVICH, SPILKER, WINSLOW

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING INTEREST FOR
6 DAMAGE RESULTING FROM INJURY TO PERSONS OR PROPERTY AND
7 COMPUTING THE INTEREST FROM THE DATE OF THE INJURY; AMENDING
8 SECTION ~~25-9-204~~ AND 27-1-211, MCA; AND PROVIDING AN
9 APPLICABILITY DATE AND AN EFFECTIVE DATE."

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

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13 "27-1-211. Right to interest. (1) Every person who is
14 entitled to recover damages certain or capable of being made
15 certain by calculation and the right to recover which is
16 vested in him upon a particular day is entitled also to
17 recover interest thereon from that day except during such
18 time as the debtor is prevented by law or by the act of the
19 creditor from paying the debt.

20 ~~(2) Every person who is entitled to recover damages~~
21 ~~for injury to property, including business loss, is entitled~~
22 ~~to recover interest from the date of the injury.~~

23 ~~(3) Every person who is entitled to recover damages~~
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1 SECTION 2. SECTION ~~25-9-204~~, MCA, IS AMENDED TO READ:

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3 clerk must include in the judgment entered up by him any
4 interest on the verdict or decision of the court, from the
5 time it was rendered or made ~~or, when applicable, from the~~
6 ~~time specified in 27-1-211(2).~~"

7 Section 3. Applicability. This act applies to all
8 judgments entered after its effective date.

9 Section 4. Effective date. This act is effective on
10 passage and approval.

-End-

THIRD READING