

HOUSE BILL NO. 848

Introduced: 02/15/83

Referred to Committee on Judiciary: 02/15/83

Hearing: 2/21/83

Died In Committee

1 House BILL NO. 848
2 INTRODUCED BY Mervyn D. Harvington
3 Donny Berg Lee
4 Rayne William J. Jackson
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR
6 PREJUDGMENT INTEREST AT THE RATE OF 10 PERCENT A YEAR ON A
7 JUDGMENT GREATER THAN AN OFFER OF SETTLEMENT REFUSED BY THE
8 DEFENDANT."

1 1983.

-End-

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Settlement offer refused -- right to
11 prejudgment interest -- exception. (1) In an action to
12 recover damages for personal injury, wrongful death, or
13 injury to property in which the plaintiff makes a written
14 offer of settlement of the action that is not accepted by
15 the defendant within 30 days of its receipt or before the
16 commencement of trial, whichever occurs first, and in which
17 action the plaintiff obtains a judgment for damages greater
18 than previously offered in writing to the defendant, the
19 plaintiff is entitled to interest on the judgment at the
20 rate of 10% a year from the date the action was filed.
21 (2) Subsection (1) does not apply to actions brought
22 or claims made against the state or a political subdivision
23 under Title 2, chapter 9, part 3.
24 Section 2. Applicability date. This act does not apply
25 to any claim made or action brought prior to October 1,

-2- INTRODUCED BILL