

HOUSE BILL NO. 395

1/23 Introduced
1/23 Referred to Judiciary
1/31 Hearing
2/04 Committee Report-Bill Pass As Amended
2/05 2nd Reading Pass
2/06 3rd Reading Pass

Transmitted to Senate

2/07 Referred to Business & Industry
3/15 Hearing
3/20 Adverse Committee Report
As Amended, Be Not Concurred In

Returned to House

3/21 Reconsideration

Returned to Senate

3/27 Referred to Business & Industry
3/27 Tabled in Committee

1 HOUSE BILL NO. 395
2 INTRODUCED BY Joe Bonaventura

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT
5 PURVEYORS OF ALCOHOLIC BEVERAGES ARE NOT LIABLE FOR INJURY
6 OR DAMAGE CAUSED BY CONSUMERS AS A RESULT OF THE CONSUMPTION
7 OF SUCH BEVERAGES."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Selling or giving alcoholic beverages -- no
11 civil liability for consumer's acts. No person or entity
12 that sells, serves, gives, or delivers alcoholic beverages
13 as defined in 16-1-106, whether or not for profit, in any
14 place, including but not limited to a person's residence, a
15 bar, restaurant, private or nonprivate club or institution,
16 or private or nonprivate business, professional, social, or
17 other party or event, is liable to any person for injury or
18 damage of any kind wholly or partly caused by the consumer's
19 being under the influence of alcoholic beverages.

-End-

INTRODUCED BILL
HB 395



APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 395

2 INTRODUCED BY D. BROWN, PAVLOVICH

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN
5 PURVEYORS OF ALCOHOLIC BEVERAGES ARE NOT LIABLE FOR INJURY
6 OR DAMAGE CAUSED BY CONSUMERS AS A RESULT OF THE CONSUMPTION
7 OF SUCH BEVERAGES."

8

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

10 Section 1. Selling or giving alcoholic beverages -- no
11 LIMITATION OF civil liability for consumer's acts. No (1)
12 EXCEPT AS PROVIDED IN SUBSECTION (2), NO person or entity
13 that sells, serves, gives, or delivers alcoholic beverages
14 as defined in 16-1-106, whether or not for profit, in any
15 place, including but not limited to a person's residence, a
16 bar, restaurant, private or nonprivate club or institution,
17 or private or nonprivate business, professional, social, or
18 other party or event, is liable to any person for injury or
19 damage of any kind wholly or partly caused by the consumer's
20 being under the influence of alcoholic beverages.

21 (2) SUBSECTION (1) DOES NOT APPLY TO ANY PERSON OR
22 ENTITY THAT SELLS, SERVES, GIVES, OR DELIVERS ALCOHOLIC
23 BEVERAGES TO A PERSON UNDER THE LEGAL DRINKING AGE IN
24 VIOLATION OF 16-3-301, 16-6-305, OR 45-5-623.

-End-

1 HOUSE BILL NO. 395

2 INTRODUCED BY D. BROWN, PAVLOVICH

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN
5 PURVEYORS OF ALCOHOLIC BEVERAGES ARE NOT LIABLE FOR INJURY
6 OR DAMAGE CAUSED BY CONSUMERS AS A RESULT OF THE CONSUMPTION
7 OF SUCH BEVERAGES."

8

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

10 Section 1. Selling or giving alcoholic beverages -- no
11 LIMITATION OF civil liability for consumer's acts. No (1)
12 EXCEPT AS PROVIDED IN SUBSECTION (2), NO person or entity
13 that sells, serves, gives, or delivers alcoholic beverages
14 as defined in 16-1-106, whether or not for profit, in any
15 place, including but not limited to a person's residence, a
16 bar, restaurant, private or nonprivate club or institution,
17 or private or nonprivate business, professional, social, or
18 other party or event, is liable to any person for injury or
19 damage of any kind wholly or partly caused by the consumer's
20 being under the influence of alcoholic beverages.

21 (2) SUBSECTION (1) DOES NOT APPLY TO ANY PERSON OR
22 ENTITY THAT SELLS, SERVES, GIVES, OR DELIVERS ALCOHOLIC
23 BEVERAGES TO A PERSON UNDER THE LEGAL DRINKING AGE IN
24 VIOLATION OF 16-3-301, 16-6-305, OR 45-5-623.

-End-