

FINAL STATUS

HB 6 INTRODUCED BY DAVE BROWN
 AMEND CONSTITUTION TO STATE TORT LIABILITY OF
 THOSE FURNISHING ALCOHOLIC BEVERAGES

3/24 INTRODUCED
3/24 REFERRED TO JUDICIARY
 DIED IN COMMITTEE

CONSTITUTIONAL AMENDMENT

1 HOUSE BILL NO. 6
2 INTRODUCED BY D. BROWN
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II,
6 SECTION 16, OF THE MONTANA CONSTITUTION TO PROVIDE THAT A
7 PERSON FURNISHING ALCOHOLIC BEVERAGES IS NOT LIABLE TO THE
8 CONSUMER OR A THIRD PARTY FOR INJURIES WHOLLY OR PARTLY
9 ARISING FROM AN EVENT INVOLVING THE PERSON WHO CONSUMED THE
10 BEVERAGE EXCEPT IF THE CONSUMER IS UNDERAGE; PROVIDING AN
11 EFFECTIVE DATE."
12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14 Section 1. Article II, section 16, of the Constitution
15 of the State of Montana is amended to read:
16 "Section 16. The administration of justice. (1) Courts
17 of justice shall be open to every person, and speedy remedy
18 afforded for every injury of person, property, or character.
19 No person shall be deprived of this full legal redress for
20 injury incurred in employment for which another person may
21 be liable except as to fellow employees and his immediate
22 employer who hired him if such immediate employer provides
23 coverage under the Workmen's Compensation Laws of this
24 state. Right and justice shall be administered without sale,
25 denial, or delay.



1 (2) (a) Furnishing a person with an alcoholic beverage
2 is not a cause of, or grounds for finding the furnishing
3 person or entity liable for, injury or damage wholly or
4 partly arising from an event involving the person who
5 consumed the beverage.
6 (b) Subsection (2)(a) does not apply if the consumer
7 is under the legal drinking age and the furnishing person
8 either knows that the consumer is underage or does not make
9 a reasonable attempt to determine the consumer's age."
10 NEW SECTION. Section 2. Effective date. This
11 amendment is effective upon approval by the electorate.
12 NEW SECTION. Section 3. Submission to electorate.
13 This amendment shall be submitted to the electors of Montana
14 at the general election to be held in November 1986 by
15 printing on the ballot the full title of this act and the
16 following:
17 ☐ FOR exempting those furnishing alcoholic beverages
18 from liability to the consumer and other persons for
19 injuries wholly or partly arising from an event
20 involving the consumer except if the consumer is
21 under the legal drinking age.
22 ☐ AGAINST exempting those furnishing alcoholic
23 beverages from liability to the consumer and other
24 persons for injuries wholly or partly arising from
25 an event involving the consumer except if the