

FINAL STATUS

HB 7 INTRODUCED BY BARDANOUE
 AMEND CONSTITUTION RELATING TO SOVEREIGN IMMUNITY

3/24 INTRODUCED
3/24 REFERRED TO JUDICIARY
3/26 HEARING
3/27 COMMITTEE REPORT-BILL DO PASS
3/27 2ND READING PASS 63 37
3/27 3RD READING PASS 59 41

 TRANSMITTED TO SENATE
3/28 REFERRED TO JUDICIARY
3/28 HEARING
3/28 COMMITTEE REPORT-BILL CONCURRED AS AMENDED
3/28 2ND READING CONCURRED 25 25
 MOTION FAILED
3/28 3RD READING NOT CONCURRED 25 25

 RETURNED TO HOUSE WITH AMENDMENTS
3/29 2ND READING AMENDMENTS CONCURRED 60 40
3/29 3RD READING AMENDMENTS CONCURRED 59 41
 (BILL TO AMEND CONSTITUTION FAILED TO
 RECEIVE REQUIRED 2/3 VOTE OF LEGISLATURE)
 BILL KILLED

CONSTITUTIONAL AMENDMENT

1 HOUSE BILL NO. 7
2 INTRODUCED BY Bordansue
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 18, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE
7 LEGISLATURE MAY DETERMINE WHETHER THE STATE AND OTHER
8 GOVERNMENTAL ENTITIES MAY BE SUED AND THAT THE LEGISLATURE
9 MAY ESTABLISH LIMITS ON RECOVERIES AGAINST THE STATE AND
10 OTHER GOVERNMENTAL ENTITIES; AND PROVIDING AN EFFECTIVE
11 DATE."
12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14 Section 1. Article II, section 18, of the Constitution
15 of the State of Montana is amended to read:
16 "Section 18. State---subject---to---suit Governmental
17 liability. (1) The limits of civil liability and provisions
18 governing immunity or nonimmunity from suit for the state,
19 counties, cities, towns, and all other local governmental
20 entities shall have--no-immunity-from-suit-for-injury-to-a
21 person--or--property,--except--as--may be as specifically
22 provided by law by a 2/3 vote of each house of the
23 legislature.
24 (2) The governmental entities referred to in
25 subsection (1) shall not be liable in any action for damages

1 in excess of limits specifically provided by law. Damage
2 awards within such limits constitute the full legal redress
3 available against the governmental entity under Article II,
4 section 16, and do not deny equal protection of the laws
5 under Article II, section 4."

6 NEW SECTION. Section 2. Effective date. This
7 amendment is effective on approval by the electorate.

8 NEW SECTION. Section 3. Submission to electorate.
9 This amendment shall be submitted to the electors of Montana
10 at the general election to be held in November 1986 by
11 printing on the ballot the full title of this act and the
12 following:

- 13 ☐ FOR allowing the legislature to determine whether
14 and to what extent governmental entities may be
15 sued.
16 ☐ AGAINST allowing the legislature to determine
17 whether and to what extent governmental entities may
18 be sued.

-End-

CONSTITUTIONAL AMENDMENT

APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 7
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5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II,
6 SECTION 18, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE
7 LEGISLATURE MAY DETERMINE WHETHER THE STATE AND OTHER
8 GOVERNMENTAL ENTITIES MAY BE SUED AND THAT THE LEGISLATURE
9 MAY ESTABLISH LIMITS ON RECOVERIES AGAINST THE STATE AND
10 OTHER GOVERNMENTAL ENTITIES; AND PROVIDING AN EFFECTIVE
11 DATE."
12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14 Section 1. Article II, section 18, of the Constitution
15 of the State of Montana is amended to read:
16 "Section 18. State---subject---to---suit Governmental
17 liability. (1) The limits of civil liability and provisions
18 governing immunity or nonimmunity from suit for the state,
19 counties, cities, towns, and all other local governmental
20 entities shall have--no-immunity-from-suit-for-injury-to-a
21 person--or--property,--except--as--may be as specifically
22 provided by law by a 2/3 vote of each house of the
23 legislature.
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15 of the State of Montana is amended to read:

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-End-

THIRD READING

H37

STANDING COMMITTEE REPORT

March 28, 1986

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration HOUSE BILL No. 7

third reading copy (blue)
color

(Senator Mazurek)

SOVEREIGN IMMUNITY - CONSTITUTIONAL AMENDMENT

Respectfully report as follows: That HOUSE BILL No. 7

be amended as follows:

1. Page 2, lines 4 and 5

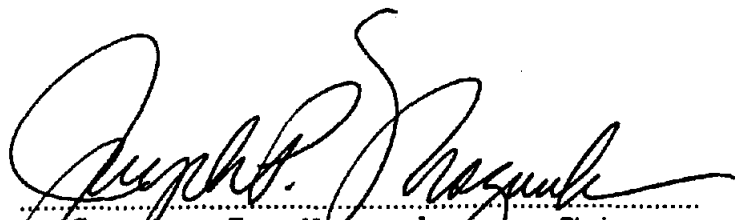
Following: "16" on line 4

Strike: remainder of line 4 through "4" on line 5

AND AS AMENDED
BE CONCURRED IN

~~XXXXXX~~

~~XXXXXXXX~~


Senator Joe Mazurek, Chairman.