

HOUSE BILL NO. 13

INTRODUCED BY D. BROWN, PAVLOVICH, DRISCOLL, LYNCH,
GOULD, CODY, DARKO, HAGER, KOLSTAD, FULLER, COHEN,
JACK MOORE, HARRINGTON, MANUEL, JONES, O'CONNELL,
KRUEGER, QUILICI, IVERSON, JACOBSON, PATTERSON, SWIFT,
C. SMITH, PHILLIPS, ASAY, ELLISON, KEYSER, HARP, JENKINS,
REGAN, MCCALLUM, HARBIN, ANDERSON, GILBERT, KEATING, RANEY,
DANIELS, CAMPBELL, MONTAYNE, JANET MOORE, HANSEN, HAFHEY,
GLASER, WINSLOW, ZABROCKI, RAPP-SVRCEK, NISBET, ADDY,
BACHINI, HALLIGAN, BOYLAN, GOODOVER, TVEIT, E. SMITH,
STORY, SHAW, B. BROWN, FARRELL, SEVERSON, HIMSL, THAYER,
GALT, KEENAN, BRANDEWIE, SALES, FRITZ, HOLLIDAY, KOEHNKE,
MCCORMICK, POFF, KENNERLY, HOWE, HART, PISTORIA,
SCHYE, J. BROWN, HAND, STANG, GARCIA, ABRAMS

IN THE HOUSE

March 25, 1986

Introduced and referred to
Committee on Judiciary.

On motion by Chief Sponsor,
Representatives McCormick,
Poff, Kennerly, Howe, Hart,
Pistoria, Schye, J. Brown,
Hand, Stang, Garcia, and
Abrams added as sponsors.

March 26, 1986

Committee recommend bill do
pass as amended. Report
adopted.

March 27, 1986

Bill printed and placed on
members' desks.

Second reading, do pass as
amended.

Third reading, passed.

Transmitted to Senate.

IN THE SENATE

March 28, 1986

Introduced and referred to
Committee on Business and
Industry.

Committee recommend bill be
concurrent in. Report adopted.

Second reading, concurred in.

Third reading, concurred in.
Ayes, 50; Noes, 0.

Returned to House.

IN THE HOUSE

March 29, 1986

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

Adler
copy *House* *Bill No. 13*
Marko
INTRODUCED BY *Donna Carroll* *Theresa J. Smith*
Hammington *Ann* *KRUEGER* *Julia* *Michael*
Donna *O. Connell* *Person* *Patricia*
A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE CRITERIA
High Smith *Philosophy* *Edison* *He*
GOVERNING THE LIABILITY OF A PERSON OR ENTITY FURNISHING AN
HARP *James* *W. Ball* *Harbo*
ALCOHOLIC BEVERAGE FOR INJURY OR DAMAGE ARISING FROM AN
EVENT INVOLVING THE CONSUMER; AND PROVIDING AN IMMEDIATE
Smith *Confield* *Smith* *Mease*
EFFECTIVE DATE." *Ed* *Montana*
Deanna *David* *Dan* *Wendy* *Lepp* *Smith* *Hallgren* *Boylan*
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Edna*
11 *Trist* *E. Smith* *Stacy* *Heath* *Bob Brown*
Section 1. Civil liability for injuries involving
James *Samuel* *Michael* *Ed* *Keenan*
alcohol consumption. (1) The purpose of this section is to
Roy *Samuel* *SALES* *Edna* *Holliday* *Boylan*
set statutory criteria governing the liability of a person

or entity that furnishes an alcoholic beverage for injury or
damage arising from an event involving the person who
consumed the beverage.

(2) A person or entity furnishing an alcoholic
beverage may not be found liable for injury or damage
arising from an event involving the consumer wholly or
partially on the basis of a provision or a violation of a
provision of Title 16 or any other title of the Montana Code
Annotated, except this section.

(3) Furnishing a person with an alcoholic beverage is
not a cause of, or grounds for finding the furnishing person
or entity liable for, injury or damage wholly or partly

arising from an event involving the person who consumed the
beverage unless:

(a) the consumer was under the legal drinking age and
the furnishing person knew that the consumer was underage or
did not make a reasonable attempt to determine the
consumer's age;

(b) the consumer was visibly intoxicated and the
furnishing person knew or reasonably should have known that
the consumer was visibly intoxicated; or

(c) the furnishing person forced or coerced the
consumption or told the consumer that the beverage contained
no alcohol.

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

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

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C. SMITH, PHILLIPS, ASAY, ELLISON, KEYSER, HARP, JENKINS,

REGAN, MCCALLUM, HARBIN, ANDERSON, GILBERT, KEATING, RANEY,

DANIEL CAMPBELL, MONTAYNE, JANET MOORE, HANSEN, HAFPEY,

GLASER, WINSLOW, ZABROCKI, RAPP-SVRCEK, NISBET, ADDY,

BACHINI, HALLIGAN, BOYLAN, GOODOVER, TVEIT, E. SMITH,

STORY, SHAW, B. BROWN, FARRELL, SEVERSON, HIMSL, THAYER,

GALT, KEENAN, BRANDEWIE, SALES, FRITZ, HOLLIDAY, KOEHNKE,

MCCORMICK, POFF, KENNERLY, HOWE, HART, PISTORIA,

SCHYE, J. BROWN, HAND, STANG, GARCIA, ABRAMS

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE CRITERIA
GOVERNING THE LIABILITY OF A PERSON OR ENTITY FURNISHING AN
ALCOHOLIC BEVERAGE FOR INJURY OR DAMAGE ARISING FROM AN
EVENT INVOLVING THE CONSUMER; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE."

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

Section 1. Civil liability for injuries involving
alcohol consumption. (1) The purpose of this section is to
set statutory criteria governing the liability of a person

or entity that furnishes an alcoholic beverage for injury or
damage arising from an event involving the person who
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(c) the furnishing person forced or coerced the
consumption or told the consumer that the beverage contained
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Section 2. Effective date. This act is effective on

HB 0013/02

1 passage and approval.

-End-

HOUSE BILL NO. 13

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the consumer was visibly intoxicated; or

(c) the furnishing person forced or coerced the
consumption or told the consumer that the beverage contained
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HB 0013/03

1 passage and approval.

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