

FINAL STATUS

SB 5     INTRODUCED BY TOWE  
         AMEND CONSTITUTION TO ALLOW EXCEPTION TO FULL  
               LEGAL REDRESS FOR SUIT AGAINST GOVERNMENTAL  
               ENTITIES

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

CONSTITUTIONAL AMENDMENT

1                   SENATE       BILL NO.   5  
2   INTRODUCED BY Don  
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 AN  
7   EXCEPTION TO FULL LEGAL REDRESS FOR SUITS AGAINST  
8   GOVERNMENTAL ENTITIES; AND PROVIDING AN EFFECTIVE DATE."  
9  
10   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
11       Section 1. Article II, section 16, of the Constitution  
12   of the State of Montana is amended to read:  
13       "Section 16. The administration of justice. (1) Courts  
14   of justice shall be open to every person, and speedy remedy  
15   afforded for every injury of person, property, or character.  
16       (2) No person shall be deprived of this full legal  
17   redress:  
18       (a) for injury incurred in employment for which  
19   another person may be liable except as to fellow employees  
20   and his immediate employer who hired him if such immediate  
21   employer provides coverage under the Workmen's Compensation  
22   Laws of this state; or  
23       (b) except as provided in any limitation on  
24   governmental immunity adopted pursuant to Article II,  
25   section 18.

1       (3) Right and justice shall be administered without  
2   sale, denial, or delay."  
3       NEW SECTION. Section 2. Effective date. If approved  
4   by the electorate, this amendment is effective January 1,  
5   1987.  
6       NEW SECTION. Section 3. Submission to electorate.  
7   This amendment shall be submitted to the electors of Montana  
8   at the general election to be held in November 1986 by  
9   printing on the ballot the full title of this act and the  
10   following:  
11       ☐ FOR allowing an exception to full legal redress for  
12       suits against governmental entities.  
13       ☐ AGAINST allowing an exception to full legal redress  
14       for suits against governmental entities.

-End-

-2-   INTRODUCED BILL  
          5B5