



IN THE HOUSE

MARCH 16, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 17, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

1                    HOUSE    BILL NO. 13  
 2    INTRODUCED BY MERCER  
 3                    BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE  
 4                    ON LIEN LAWS

5  
 6    A BILL FOR AN ACT ENTITLED:    "AN ACT TO AMEND SECTION  
 7    31-2-106, MCA, TO INCLUDE AS EXEMPT PROPERTY IN A BANKRUPTCY  
 8    PROCEEDING ALL PROPERTY OF AN INDIVIDUAL DEBTOR EXEMPT FROM  
 9    EXECUTION OF JUDGMENT AS PROVIDED IN THE MONTANA CODE  
 10    ANNOTATED."

11  
 12    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13            Section 1. Section 31-2-106, MCA, is amended to read:  
 14            "31-2-106. Exempt property -- bankruptcy proceeding.  
 15    No individual may exempt from the property of the estate in  
 16    any bankruptcy proceeding the property specified in 11  
 17    U.S.C. 522(d) except property exempt from execution of  
 18    judgment as provided in 19-3-105, 19-4-706, 19-5-704,  
 19    19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504,  
 20    19-11-612, 19-13-1004, Title 25, chapter 13, part 6,  
 21    33-7-511, 33-15-512 through 33-15-514, 35-10-502,  
 22    39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title  
 23    70, chapter 32, and 80-2-245."

-End-

INTRODUCED BILL



APPROVED BY COMMITTEE  
ON JUDICIARY

1 HOUSE BILL NO. 13  
2 INTRODUCED BY MERCER  
3 BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE  
4 ON LIEN LAWS  
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6 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
7 31-2-106, MCA, TO INCLUDE AS EXEMPT PROPERTY IN A BANKRUPTCY  
8 PROCEEDING ALL PROPERTY OF AN INDIVIDUAL DEBTOR EXEMPT FROM  
9 EXECUTION OF JUDGMENT AS PROVIDED IN THE MONTANA CODE  
10 ANNOTATED; AND PROVIDING AN EFFECTIVE DATE AND AN  
11 APPLICABILITY PROVISION."  
12

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

14 Section 1. Section 31-2-106, MCA, is amended to read:  
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21 19-11-612, 19-13-1004, Title 25, chapter 13, part 6,  
22 33-7-511, 33-15-512 through 33-15-514, 35-10-502,  
23 39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title  
24 70, chapter 32, and 80-2-245."

25 NEW SECTION. SECTION 2. EFFECTIVE DATE --

1 APPLICABILITY. THIS ACT IS EFFECTIVE JULY 1, 1987, AND  
2 APPLIES ONLY TO BANKRUPTCY PETITIONS FILED ON OR AFTER JULY  
3 1, 1987.

-End-



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 3 BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE  
 4 ON LIEN LAWS  
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 7 31-2-106, MCA, TO INCLUDE AS EXEMPT PROPERTY IN A BANKRUPTCY  
 8 PROCEEDING ALL PROPERTY OF AN INDIVIDUAL DEBTOR EXEMPT FROM  
 9 EXECUTION OF JUDGMENT AS PROVIDED IN THE MONTANA CODE  
 10 ANNOTATED; AND PROVIDING AN EFFECTIVE DATE AND AN  
 11 APPLICABILITY PROVISION."  
 12

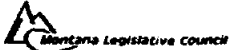
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 24 70, chapter 32, and 80-2-245."

25 NEW SECTION. SECTION 2. EFFECTIVE DATE --

1 APPLICABILITY. THIS ACT IS EFFECTIVE JULY 1, 1987, AND  
 2 APPLIES ONLY TO BANKRUPTCY PETITIONS FILED ON OR AFTER JULY  
 3 1, 1987.

-End-



1 HOUSE BILL NO. 13  
 2 INTRODUCED BY MERCER  
 3 BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE  
 4 ON LIEN LAWS  
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6 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
 7 31-2-106, MCA, TO INCLUDE AS EXEMPT PROPERTY IN A BANKRUPTCY  
 8 PROCEEDING ALL PROPERTY OF AN INDIVIDUAL DEBTOR EXEMPT FROM  
 9 EXECUTION OF JUDGMENT AS PROVIDED IN THE MONTANA CODE  
 10 ANNOTATED AND 11 U.S.C. 522(D)(10); AND PROVIDING AN  
 11 IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY PROVISION."  
 12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 14 Section 1. Section 31-2-106, MCA, is amended to read:  
 15 "31-2-106. Exempt property -- bankruptcy proceeding.  
 16 No individual may exempt from the property of the estate in  
 17 any bankruptcy proceeding the property specified in 11  
 18 U.S.C. 522(d) except THAT PROPERTY SPECIFIED IN 11 U.S.C.  
 19 522(D)(10) AND THAT property exempt from execution of  
 20 judgment as provided in 19-3-105, 19-4-706, 19-5-704,  
 21 19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504,  
 22 19-11-612, 19-13-1004, Title 25, chapter 13, part 6,  
 23 33-7-511, 33-15-512 through 33-15-514, 35-10-502,  
 24 39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title  
 25 70, chapter 32, and 80-2-245."

1 NEW SECTION. SECTION 2. EFFECTIVE DATE --  
 2 APPLICABILITY. THIS ACT IS EFFECTIVE ~~JULY--17--1987~~ ON  
 3 PASSAGE AND APPROVAL AND APPLIES ~~ONLY~~ TO BANKRUPTCY  
 4 PETITIONS FILED-ON-OR-AFTER-~~JULY-17-1987~~ IN WHICH DISCHARGE  
 5 TAKES PLACE ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

-End-



MR. PRESIDENT

SENATE JUDICIARY

We, your committee on.....

having had under consideration..... HOUSE BILL No. 13

third ~~KMK~~ reading copy ( blue )  
color

Exempt in bankruptcy action all property of individual exempt under MCA  
Rep Mercer (Senator Halligan)

Respectfully report as follows: That..... HOUSE BILL No. 13

be amended as follows:

- 1. Title, line 10.  
Following: "ANNOTATED"  
Insert: "AND 11 U.S.C. 522(d)(10)"
- 2. Page 1, line 18.  
Following: "except"  
Insert: "that property specified in 11 U.S.C. 522(d)(10) and that"
- 3. Page 2, line 1.  
Following: "EFFECTIVE"  
Strike: "July 1, 1987,"  
Insert: "on passage and approval"
- 4. Page 2, line 2.  
Following: "APPLIES"  
Strike: "ONLY"
- 5. Page 2, lines 2 and 3.  
Following: "PETITIONS" on line 2  
Strike: the remainder of line 2 through "1987" on line 3  
Insert: "in which discharge takes place on or after the effective date of this act"

~~XXXXXX~~  
~~XXXXXXXX~~

AND AS AMENDED  
BE CONCURRED IN

  
.....  
Chairman.