## HOUSE BILL NO. 13

#### INTRODUCED BY MERCER

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON LIEN LAWS

## IN THE HOUSE

- JANUARY 5, 1987 INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
- JANUARY 12, 1987 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
- JANUARY 13, 1987 PRINTING REPORT.
- JANUARY 14, 1987 SECOND READING, DO PASS.
- JANUARY 15, 1987 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 98; NOES, 1.

TRANSMITTED TO SENATE.

IN THE SENATE

- JANUARY 21, 1987 INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
- MARCH 4, 1987 COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.

MARCH 7, 1987 SECOND READING, CONCURRED IN.

MARCH 10, 1987 THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

# IN THE HOUSE

MARCH 16, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS CONCURRED IN.

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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 <u>19-3-105, 19-4-706, 19-5-704,</u>
19	<u>19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504,</u>
20	<u>19-11-612, 19-13-1004,</u> Title 25, chapter 13, part 6 <u>,</u>
21	33-7-511, 33-15-512 through 33-15-514, 35-10-502,
22	<u>39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title</u>
23	70, chapter 32, and 80-2-245."

-End-

# INTRODUCED BILL

Montana Legislative council

#### HB 0013/02

HB 0013/02

APPROVED BY COMMITTEE On Judiciary

Montana Legislative Council

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; 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:				
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				
13	U.S.C. 522(d) except property exempt from execution of				
19	judgment as provided in <u>19-3-105, 19-4-706, 19-5-704,</u>				
20	19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504,				
21	<u>19-11-612, 19-13-1004,</u> Title 25, chapter 13, part 6 <u>,</u>				
22	33-7-511, 33-15-512 through 33-15-514, 35-10-502,				
2 <b>3</b>	<u>39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title</u>				
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

1, 1987.

3

-End-

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HB 13

SECOND READING

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1	HOUSE BILL NO. 13	1	APPLICABILITY. THIS ACT IS EFFECTIVE JULY 1, 1987, AND
2	INTRODUCED BY MERCER	2	APPLIES ONLY TO BANKRUPTCY PETITIONS FILED ON OR AFTER JULY
3	BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE	3	1, 1987.
4	ON LIEN LAWS		-End-
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; 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:		
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 specifies in 11		
18	U.S.C. 522(d) except property exempt from execution of		
19	judgment as provided in <u>19-3-105, 19-4-706, 19-5-704</u> ,		
20	19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504,		
21	<u>19-11-612, 19-13-1004, Title 25, chapter 13, part 6, </u>		
22	33-7-511, $33-15-512$ through $33-15-514$ , $35-10-502$ ,		
23	<u>39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title</u>		
24	70, chapter 32, and 80-2-245."		
25	NEW SECTION. SECTION 2. EFFECTIVE DATE		·
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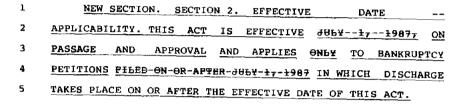


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HB 13

THIRD READING

1	HOUSE BILL NO. 13
2	INTRODUCED BY MERCER
3	BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE
4	ON LIEN LAWS
5	
б	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."
1 <b>2</b>	
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	<u>19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504,</u>
22	<u>19-11-612, 19-13-1004,</u> Title 25, chapter 13, part 6 <u>,</u>
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."



-End-

Montana Legislative Council

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HB 13

HB 0013/03

		March 3	87		
MR. PRESIDENT	SENATE JUDICIARY				
We, your com	imittee on		••••••		
having had unde	r consideration	HOUSE BILL	13 No		
third	KKXX . , blue				
	KKKX reading copy ( blue ) color				
	Exempt in bankruptcy action all proper Mercer (Senator Halligan)	ty of individual exemp	t under MCA		
		HOUSE BILL	13		
Respectfully rep	ort as follows: That		No		
	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 tha					
	3. Page 2, line 1. Following: " <u>EFFECTIVE</u> " Strike: " <u>July 1, 1987,</u> " Insert: "on passage and approval"				
	4. Page 2, line 2. Following: " <u>APPLIES</u> " Strike: " <u>ONLY</u> "				
	5. Page 2, lines 2 and 3. Following: " <u>PETITIONS</u> " on line 2 Strike: the remainder of line 2 throu Insert: "in which discharge takes pla of this act"	igh " <u>1987</u> " on line 3 ace on or after the eff	fective date		
KIK XXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXX	AND AS AMENDED BE CONCURRED IN	$\mathcal{T}$	1		

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Maguch\_ Chairman.