

HB 704 INTRODUCED BY GIACOMETTO, ET AL.
REQUIRE ATTORNEY FEES TO BE PAID BY LOSING PARTY IN
CERTAIN CIVIL CASES

2/11 INTRODUCED
2/11 REFERRED TO JUDICIARY
2/17 HEARING
2/23 TABLED IN COMMITTEE

1 House BILL NO. 704
 2 INTRODUCED BY Diasonetto, C. Smith, Wank
 3 Gilbert Switzer Berlin, Bob Campbell
 4 London, Rick Manuel
 5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT
 6 REASONABLE ATTORNEY FEES MUST BE AWARDED TO A PREVAILING Beithol, Bob Brown
 7 DEFENDANT IN CERTAIN CIVIL LIABILITY ACTIONS; AND PROVIDING
 8 AN APPLICABILITY DATE."

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

10 Section 1. Defendant's attorney fees recoverable. In
 11 any action for a breach of an obligation not arising from
 12 contract, if the plaintiff retains an attorney on a
 13 contingency fee arrangement and the plaintiff does not
 14 prevail in the action, the court shall award reasonable
 15 attorney fees to the prevailing defendant. The judge shall
 16 determine the prevailing party for purposes of this section.

17 Section 2. Codification instruction. Section 1 is
 18 intended to be codified as an integral part of Title 25,
 19 chapter 10, part 3, and the provisions of Title 25, chapter
 20 10, part 3, apply to section 1.

21 Section 3. Applicability. This act applies to causes
 22 of action arising after the effective date of this act.

-End-

INTRODUCED BILL
HB 704

