## SENATE BILL NO. 119

## INTRODUCED BY WEEDING, HALLIGAN

## IN THE SENATE

JANUARY 16, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
JANUARY 24, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 26, 1987	PRINTING REPORT.
JANUARY 28, 1987	SECOND READING, DO PASS.
JANUARY 29, 1987	ENGROSSING REPORT.
JANUARY 30, 1987	THIRD READING, PASSED. AYES, 48; NOES, 2.
	TRANSMITTED TO HOUSE.
	IN THE HOUSE
FEBRUARY 4, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
MARCH 10, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 13, 1987	SECOND READING, CONCURRED IN.
MARCH 14, 1987	THIRD READING, CONCURRED IN. AYES, 90; NOES, 6.
	RETURNED TO SENATE.
	IN THE SENATE
MARCH 17, 1987	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.

LC 0881/01

1 2 INTRODUCED BY 3 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE 4

A BILL FOR AN ACT ENTITIED: AN ACT CLARTFILING THE
S APPLICATION OF THE PLAIN LANGUAGE IN CONTRACTS ACT TO
6 INSURANCE POLICIES AND CONTRACTS; AMENDING SECTION
7 30-14-1104, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

10 Section 1. Section 30-14-1104, MCA, is amended to
...
11 read:

12 "30-14-1104. Scope. (1) Except as provided in 13 subsection (2), 30-14-1103 applies to any agreement in 14 connection with a consumer contract entered into in this 15 state between a consumer who is a resident of this state at 16 the time of the transaction and a seller, lessor, or lender.

(2) Section 30-14-1103 does not apply to:

18 (a) consumer contracts in which the value of the 19 money, property, or services bought, leased, or borrowed 20 exceeds \$50,000 at the time of the contract;

(b) consumer contracts in which securities orcommodities accounts are bought, leased, or borrowed;

23 (c) consumer-transactions-subject-to-the-provisions-of
24 33-15-321-through-33-15-329; an insurance policy or contract
25 that is subject to the provisions of Title 33;



1 (d) a seller, lessor, or lender, if it is a government 2 agency or instrumentality;

3 (e) the provision of public utility service under4 tariffs approved by the public service commission; or

(f) a transfer of real estate.

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6 (3) The use of specific language expressly required or 7 authorized by a court decision, state or federal statute or 8 administrative rule, or governmental agency is not a 9 violation of this part; nor is a legal description of real 10 property a violation of this part."

<u>NEW SECTION.</u> Section 2. Applicability. This act
 applies to consumer contracts, as defined in 30-14-1102,
 entered into after July 1, 1987.

-End-

INTRODUCED BILL +2-513 119

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LC 0881/01

APPROVED BY COMMITTEE ON JUDICIARY

1 2 INTRODUCED BY 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE 5 APPLICATION OF THE PLAIN LANGUAGE IN CONTRACTS ACT TO INSURANCE POLICIES AND CONTRACTS: AMENDING SECTION 6 30-14-1104, MCA; AND PROVIDING AN APPLICABILITY DATE." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 30-14-1104, MCA, is amended to 10 read: 11 "30-14-1104, Scope. (1) Except as provided in 12 subsection (2), 30-14-1103 applies to any agreement in 13 connection with a consumer contract entered into in this 14 state between a consumer who is a resident of this state at 15 16 the time of the transaction and a seller, lessor, or lender. 17 (2) Section 30-14-1103 does not apply to: (a) consumer contracts in which the value of the 18 money, property, or services bought, leased, or borrowed 19 exceeds \$50,000 at the time of the contract; 20

(b) consumer contracts in which securities orcommodities accounts are bought, leased, or borrowed;

(c) consumer-transactions-subject-to-the-provisions-of
33-15-321-through-33-15-329; an insurance policy or contract
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1 (d) a seller, lessor, or lender, if it is a government 2 agency or instrumentality;

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5

6 (3) The use of specific language expressly required or 7 authorized by a court decision, state or federal statute or 8 administrative rule, or governmental agency is not a 9 violation of this part; nor is a legal description of real 10 property a violation of this part."

<u>NEW SECTION.</u> Section 2. Applicability. This act
 applies to consumer contracts, as defined in 30-14-1102,
 entered into after July 1, 1987.

-End-

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## SECOND READING ふぴ 119

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read:

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LC 0881/01 "

Inste BILL NO. 1/19 INTRODUCED BY

4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE 5 APPLICATION OF THE PLAIN LANGUAGE IN CONTRACTS ACT TO 6 INSURANCE POLICIES AND CONTRACTS; AMENDING SECTION 7 30-14-1104, MCA; AND PROVIDING AN APPLICABILITY DATE."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 30-14-1104, MCA, is amended to

"30-14-1104. Scope. (1) Except as provided in
subsection (2), 30-14-1103 applies to any agreement in
connection with a consumer contract entered into in this
state between a consumer who is a resident of this state at
the time of the transaction and a seller, lessor, or lender.

17 (2) Section 30-14-1103 does not apply to:

18 (a) consumer contracts in which the value of the 19 money, property, or services bought, leased, or borrowed 20 exceeds \$50,000 at the time of the contract;

(b) consumer contracts in which securities orcommodities accounts are bought, leased, or borrowed;

(c) consumer-transactions-subject-to-the-provisions-of
33-15-321-through-33-15-329; an insurance policy or contract
that is subject to the provisions of Title 33;



1 (d) a seller, lessor, or lender, if it is a government 2 agency or instrumentality;

3 (e) the provision of public utility service under4 tariffs approved by the public service commission; or

(f) a transfer of real estate.

6 (3) The use of specific language expressly required or 7 authorized by a court decision, state or federal statute or 8 administrative rule, or governmental agency is not a 9 violation of this part; nor is a legal description of real 10 property a violation of this part."

<u>NEW SECTION.</u> Section 2. Applicability. This act
 applies to consumer contracts, as defined in 30-14-1102,
 entered into after July 1, 1987.

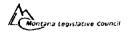
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1	SENATE BILL NO. 119	1	(d) a seller, lessor, or lender, if it is a government
2	INTRODUCED BY WEEDING, HALLIGAN	2	agency or instrumentality;
3		3	(e) the provision of public utility service under
4	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE	4	tariffs approved by the public service commission; or
5	APPLICATION OF THE PLAIN LANGUAGE IN CONTRACTS ACT TO	5	(f) a transfer of real estate.
6	INSURANCE POLICIES AND CONTRACTS; AMENDING SECTION	6	(3) The use of specific language expressly required or
7	30-14-1104, MCA; AND PROVIDING AN APPLICABILITY DATE."	7	authorized by a court decision, state or federal statute or
8		8	administrative rule, or governmental agency is not a
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9	violation of this part; nor is a legal description of real
10	Section 1. Section 30-14-1104, MCA, is amended to	10	property a violation of this part."
11	read:	11	NEW SECTION. Section 2. Applicability. This act
12	"30-14-1104. Scope. (1) Except as provided in	12	applies to consumer contracts, as defined in 30-14-1102,
13	subsection (2), 30-14-1103 applies to any agreement in	13	entered into after July 1, 1987.
14	connection with a consumer contract entered into in this		-End-
15	state between a consumer who is a resident of this state at		
16	the time of the transaction and a seller, lessor, or lender.		
17	(2) Section 30-14-1103 does not apply to:		
18	(a) consumer contracts in which the value of the		
19	money, property, or services bought, leased, or borrowed		
20	exceeds \$50,000 at the time of the contract;		
21	(b) consumer contracts in which securities or		
22	commodities accounts are bought, leased, or borrowed;		
23	(C) consumer-transactions-subject-to-the-provisions-of		
24	33-15-321-through-33-15-329; an insurance policy or contract		
25	that is subject to the provisions of Title 33;		,

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