#### SENATE BILL NO. 249

### INTRODUCED BY BLAYLOCK

## IN THE SENATE

| JANUARY 29, 1987  | INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.              |
|-------------------|---|
| FEBRUARY 13, 1987 | COMMITTEE RECOMMEND BILL<br>DO PASS AS AMENDED. REPORT ADOPTED. |
| FEBRUARY 14, 1987 | PRINTING REPORT.  |
| FEBRUARY 17, 1987 | SECOND READING, DO PASS.  |
| FEBRUARY 18, 1987 | ENGROSSING REPORT.  |
| FEBRUARY 19, 1987 | THIRD READING, PASSED. AYES, 47; NOES, 3.                       |
|                   | TRANSMITTED TO HOUSE.   |
| I                 | N THE HOUSE   |
| FEBRUARY 23, 1987 | INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.              |
| MARCH 13, 1987    | COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.       |
| MARCH 17, 1987    | SECOND READING, CONCURRED IN.                                   |
| MARCH 18, 1987    | THIRD READING, CONCURRED IN. AYES, 90; NOES, 5.                 |
|                   | RETURNED TO SENATE.   |
| ı                 | N THE SENATE  |

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

MARCH 19, 1987

25

| 1  | Strate BILL NO. 219   |
|----|---|
| 2  | INTRODUCED BY Blayloch                                      |
| 3  | 0   |
| 4  | A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING THE            |
| 5  | TERMINATION DATE FOR LIMITATION ON GOVERNMENTAL LIABILITY   |
| 6  | FOR DAMAGES IN TORT ACTIONS; RETAINING DEFINITIONAL         |
| 7  | PROVISIONS RELATING TO THE LIMITATION; AMENDING SECTION 9,  |
| 8  | CHAPTER 22, SPECIAL LAWS OF JUNE 1986; REPEALING SECTION 3, |
| 9  | CHAPTER 22, SPECIAL LAWS OF JUNE 1986; AND PROVIDING AN     |
| 10 | IMMEDIATE EFFECTIVE DATE."                                  |
| 11 |   |
| 12 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:   |
| 13 | Section 1. Section 9, Chapter 22, Special Laws of June      |
| 14 | 1986, is amended to read:                                   |
| 15 | "Section 9. Effective datestermination-date. This           |
| 16 | act is effective on passage and approval,except-that        |
| 17 | section-3-is-effective-July-17-1987. Sections1and2of        |
| 18 | this-act-terminate-on-June-307-1987:"                       |
| 19 | NEW SECTION. Section 2. Repealer. Section 3, Chapter        |
| 20 | 22, Special Laws of June 1986, is repealed.                 |
| 21 | NEW SECTION. Section 3. Two-thirds vote. Because this       |
| 22 | act amends and extends the effect of a statute imposing     |
| 23 | limited immunity on governmental entities, Article II,      |
| 24 | section 18, of the Montana constitution may require a       |

two-thirds vote of the members of each house of the

- legislature to be effective.
- NEW SECTION. Section 4. Effective date. This act is
- 3 effective on passage and approval.

-End-

#### STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB249, as introduced.

#### DESCRIPTION OF PROPOSED LEGISLATION:

An act removing the termination date for limitation on governmental liability for damages in tort actions; retaining definitional provisions relating to the limitation; amending Section 9, Chapter 22, Special Laws of June 1986; repealing Section 3, Chapter 22, Special Laws of June 1986; and providing an immediate effective date.

#### **ASSUMPTIONS:**

None.

DAVID L. HUNTER, BUDGET DIRECTOR

Office of Budget and Program Planning

Chet Blaylock PRIMARY SPONSOR DATE 2/4/87

Fiscal Note for SB249, as introduced.

SB 249

# APPROVED BY COMMITTEE ON JUDICIARY

| 1   | SENATE BILL NO. 249   |
|-----|---|
| 2   | INTRODUCED BY BLAYLOCK  |
| 3   |   |
| 4   | A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING EXTENDING THE              |
| 5   | TERMINATION DATE FOR LIMITATION ON GOVERNMENTAL LIABILITY               |
| 6   | FOR DAMAGES IN TORT ACTIONS; RETAININGDEPINITIONAL                      |
| 7   | PROVISIONS RELATING TO-THE-LIMITATION; AMENDING SECTION 9,              |
| 8   | CHAPTER 22, SPECIAL LAWS OF JUNE 1986; REPEABING-SECTION37              |
| 9   | CHAPTER-~227SPECIALLAWSOFJUNE-1986; AND PROVIDING AN                    |
| 10  | IMMEDIATE EFFECTIVE DATE."  |
| 11  |   |
| 1 2 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:               |
| 13  | Section 1. Section 9, Chapter 22, Special Laws of June                  |
| 14  | 1986, is amended to read:   |
| 15  | "Section 9. Effective datesterminationdate                              |
| 16  | TERMINATION DATE. This act is effective on passage and                  |
| 17  | approval7-except-that-section-3-is-effective-dulyi71987;                |
| 18  | Sections1and2-of-this-act-terminate-on-June-307-1987- $_{oldsymbol{L}}$ |
| 19  | EXCEPT THAT SECTION 3 IS EFFECTIVE JULY 1, 1991. SECTIONS 1             |
| 20  | AND 2 OF THIS ACT TERMINATE ON JUNE 30, 1991."                          |
| 21  | NEW-SECTION: Section-2: Repealer: Section-3; -Chapter                   |
| 22  | 22,-Special-baws-of-dune-1986,-is-repealed.                             |
| 23  | NEW SECTION. Section 2. Two-thirds vote. Because this                   |
| 24  | act amends and extends the effect of a statute imposing                 |
| 25  | limited immunity on governmental entities, Article II,                  |

Montana Legislative Council

- l section 18, of the Montana constitution may require a
- two-thirds vote of the members of each house of the
- 3 legislature to be effective.
- 4 NEW SECTION. Section 3. Effective date. This act is
- 5 effective on passage and approval.

End-

| 1          | SENATE BILL NO. 249   |
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| 8          | CHAPTER 22, SPECIAL LAWS OF JUNE 1986; REPEABING-SECTION37  |
| 9          | CHAPTER227SPECIALLAWSOPJUNE-1986; AND PROVIDING AN          |
| 0          | IMMEDIATE EFFECTIVE DATE."                                  |
| 1          |   |
| L <b>2</b> | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:   |
| 13         | Section 1. Section 9, Chapter 22, Special Laws of June      |
| L <b>4</b> | 1986, is amended to read:                                   |
| 15         | "Section 9. Effective datesterminationdate                  |
| 16         | TERMINATION DATE. This act is effective on passage and      |
| 17         | approval;-except-that-section-3-is-effective-July1;1987;    |
| 8.         | Sections1and2-of-this-act-terminate-on-June-307-1987;       |
| 9          | EXCEPT THAT SECTION 3 IS EFFECTIVE JULY 1, 1991. SECTIONS 1 |
| 90         | AND 2 OF THIS ACT TERMINATE ON JUNE 30, 1991.               |
| 21         | NEW-SECTION: Section-2; Repealer: Section-3; - Chapter      |
| 2 2        | 227-Special-baws-of-June-19867-is-repealed.                 |
| 23         | NEW SECTION. Section 2. Two-thirds vote. Because this       |
| 24         | act amends and extends the effect of a statute imposing     |
| 25         | limited immunity on governmental entities, Article II,      |

- l section 18, of the Montana constitution may require a
- 2 two-thirds vote of the members of each house of the
- 3 legislature to be effective.
- 4 NEW SECTION. Section 3. Effective date. This act is
- 5 effective on passage and approval.

-End-

50th Legislature

SB 0249/02

SB 0249/02

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| 7  | PROVISIONS RESATING TO-THE-SIMITATION; AMENDING SECTION 9,   |
| 8  | CHAPTER 22, SPECIAL LAWS OF JUNE 1986; REPEALING-SECTION37   |
| 9  | енартек227SpectabbawsOPJune-1986; and providing an           |
| 10 | IMMEDIATE EFFECTIVE DATE."                                   |
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| 12 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:    |
| 13 | Section 1. Section 9, Chapter 22, Special Laws of June       |
| 14 | 1986, is amended to read:                                    |
| 15 | "Section 9. Effective datesterminationdate                   |
| 16 | TERMINATION DATE. This act is effective on passage and       |
| 17 | approval;-except-that-section-3-is-effective-duly1;1987;     |
| 18 | Sections1and2-of-this-act-terminate-on-June-30,-1987 $	au_L$ |
| 19 | EXCEPT THAT SECTION 3 IS EFFECTIVE JULY 1, 1991. SECTIONS 1  |
| 20 | AND 2 OF THIS ACT TERMINATE ON JUNE 30, 1991."               |
| 21 | NBW-SECTION: Section-2: Repealer: Section-3: - Chapter       |
| 22 | 22;-Special-baws-of-June-1986;-is-repealed;                  |
| 23 | NEW SECTION. Section 2. Two-thirds vote. Because this        |
| 24 | act amends and extends the effect of a statute imposing      |
| 25 | limited immunity on governmental entities, Article II,       |

- two-thirds vote of the members of each house of the legislature to be effective.

  NEW SECTION. Section 3. Effective date. This act is
  - effective on passage and approval.

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-End-

SB 249