

HOUSE BILL 659

Introduced by Whalen, et al.

2/11	Introduced
2/13	Referred to Judiciary
2/17	Hearing
2/17	Tabled in Committee

CONSTITUTIONAL AMENDMENT

1 HOUSE BILL NO. 659
 2 INTRODUCED BY Whalen Tom NELSON Bradley Borden
 3 Hamilton, M. R. Spaulding, Joseph M. Reagin, Bruce
 4 Stille, David Hansen, James R. Nelson, Robert L. Calvert, M. R. C.
 5 the Honorable Sen. Timberlake, Alvin Velburtal, Regan
 6 Hallgren, Wooding, Blaylock, D. J. Smith, Richard Fleming, J. R.
 7 Patricia Smith, Sullivan, Vincent, Merriah, R. J. Johnson,
 8 Nesbet, Roney, Warko, Helen, Curtis, D. R. Smith,
 9 THE REDRESS OF WRONGS IS AN INDEPENDENT, FUNDAMENTAL RIGHT UNDER
 10 THE CONSTITUTION; AND PROVIDING AN EFFECTIVE DATE."

10

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

12 **Section 1.** Article II, section 16, of The Constitution
 13 of the State of Montana is amended to read:

14 "Section 16. The administration of justice -- access
 15 to courts. (1) Courts of justice shall be open to every
 16 person, and speedy remedy afforded for every injury of
 17 person, property, or character. No person shall be deprived
 18 of this full legal redress for injury incurred in employment
 19 for which another person may be liable except as to fellow
 20 employees and his immediate employer who hired him if such
 21 immediate employer provides coverage under the Workmen's
 22 Compensation Laws of this state. Right and justice shall be
 23 administered without sale, denial, or delay.

24 (2) The guarantee in this section of access to the
 25 courts of this state to citizens for the redress of wrongs

1 done to them is an independent, fundamental right under this
 2 constitution."

3 NEW SECTION. Section 2. Effective date. If approved
 4 by the electorate, this amendment is effective January 1,
 5 1991.

6 NEW SECTION. Section 3. Submission to electorate.
 7 This amendment shall be submitted to the qualified electors
 8 of Montana at the general election to be held in November
 9 1990 by printing on the ballot the full title of this act
 10 and the following:

- 11 ☐ FOR making the guarantee of access to the courts of
 12 this state for the redress of wrongs an independent,
 13 fundamental right under the constitution.
 14 ☐ AGAINST making the guarantee of access to the courts
 15 of this state for the redress of wrongs an
 16 independent, fundamental right under the
 17 constitution.

-End-