

SENATE BILL NO. 79
INTRODUCED BY MAZUREK

IN THE SENATE

JANUARY 6, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
JANUARY 10, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 11, 1989	PRINTING REPORT.
JANUARY 12, 1989	SECOND READING, DO PASS.
JANUARY 13, 1989	ENGROSSING REPORT.
JANUARY 14, 1989	THIRD READING, PASSED. AYES, 48; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 14, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 20, 1989	FIRST READING.
MARCH 10, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 11, 1989	SECOND READING, CONCURRED IN.
MARCH 13, 1989	THIRD READING, CONCURRED IN. AYES, 94; NOES, 2.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 14, 1989	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 Senate BILL NO. 77
2 INTRODUCED BY Mr. [Signature]
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW MEMBERS OF A
5 TRADE OR PROFESSIONAL ORGANIZATION TO AGREE TO SUBMIT FUTURE
6 CONTROVERSIES BETWEEN MEMBERS TO ARBITRATION; AND AMENDING
7 SECTION 27-5-114, MCA."

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

10 **Section 1.** Section 27-5-114, MCA, is amended to read:

11 *27-5-114. Validity of arbitration agreement --
12 exceptions. (1) A written agreement to submit an existing
13 controversy to arbitration is valid and enforceable except
14 upon such grounds as exist at law or in equity for the
15 revocation of a contract.

16 (2) A written agreement to submit to arbitration any
17 controversy arising between the parties after the contract
18 agreement is made is valid and enforceable except upon such
19 grounds as exist at law or in equity for the revocation of a
20 contract. This Except as permitted under subsection (3),
21 this subsection does not apply to:

22 (a) claims arising out of personal injury, whether
23 based on contract or tort;

24 (b) any agreement concerning or relating to insurance
25 policies or annuity contracts except for those contracts

1 between insurance companies;

2 (c) any contract by an individual for the acquisition
3 of real or personal property, services, or money or credit
4 where the total consideration to be paid or furnished by the
5 individual is \$35,000 or less; and

6 (d) claims for workers' compensation.

7 (3) A written agreement between members of a trade or
8 professional organization to submit to arbitration any
9 controversies arising between members of the trade or
10 professional organization after the agreement is made is
11 valid and enforceable except upon such grounds as exist at
12 law or in equity for the revocation of a contract.

13 (3)+(4) Notice that a contract is subject to
14 arbitration pursuant to this chapter shall be typed in
15 underlined capital letters on the first page of the
16 contract; and unless such notice is displayed thereon, the
17 contract may not be subject to arbitration."

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 Senate BILL NO. 79
2 INTRODUCED BY T. Nesbitt
3
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2 INTRODUCED BY *T. Rasmussen*
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