

*Storall*

HOUSE BILL NO. 501

*Wm E Bohariski*

INTRODUCED BY

*Anderson*

*Stiter*

*Forster* *Arund* *McE* *Clark* *Stacy* *Knox* *Mercer* *ORR* *Donahy*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A WRITTEN UNDERTAKING IN ANY CIVIL ACTION SEEKING AN INJUNCTION OR RESTRAINING ORDER TO SET ASIDE A DECISION BY THE BOARD OF LAND COMMISSIONERS REGARDING THE USE OR DISPOSITION OF STATE LANDS."

*Oh* *M. Hanson* *Jayla* *Jurkin*

*HARP*

*Storall* *York*

*Brainard* *Crinoe* *Tan* *Rehbein* *Wagner* *Murdak*

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

*Jone* *Simpkins* *L. Smith* *Margaret* *Postle* *Wells* *Byrd* *Amysped*

*Emfield* *Menahan* *Carlouh* *Stang* *Hayne*

**NEW SECTION. Section 1. Written undertaking required in legal action for challenge to use or disposition of state lands.** In any civil action seeking an injunction or restraining order concerning a decision of the board approving a use or disposition of state lands that would produce revenue for any state lands trust beneficiary, the court shall require a written undertaking for the payment of damages that may be incurred by the trust beneficiary if the board is wrongfully enjoined or restrained.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 77, chapter 1, and the provisions of Title 77, chapter 1, apply to [section 1].

**NEW SECTION. Section 3. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

-END-

*Bill and Joint*

HOUSE BILL NO. 501

*Wm E Boharski*

INTRODUCED BY

*Anderson*

*Sliter*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A WRITTEN UNDERTAKING IN ANY CIVIL ACTION SEEKING AN INJUNCTION OR RESTRAINING ORDER TO SET ASIDE A DECISION BY THE BOARD OF LAND COMMISSIONERS REGARDING THE USE OR DISPOSITION OF STATE LANDS."

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

NEW SECTION. Section 1. Written undertaking required in legal action for challenge to use or

disposition of state lands. In any civil action seeking an injunction or restraining order concerning a decision of the board approving a use or disposition of state lands that would produce revenue for any state lands trust beneficiary, the court shall require a written undertaking for the payment of damages that may be incurred by the trust beneficiary if the board is wrongfully enjoined or restrained.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

integral part of Title 77, chapter 1, and the provisions of Title 77, chapter 1, apply to [section 1].

NEW SECTION. Section 3. Saving clause. [This act] does not affect rights and duties that

matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

-END-

Journal Book

1 HOUSE BILL NO. 501  
2 INTRODUCED BY Anderson *Mule* *Stites* *Wm E Bohariski*

3 *Foster* *Arund* *M. Lee* *Clark* *Henry* *Knox* *Mered* *ORR* *Brady*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A WRITTEN UNDERTAKING IN ANY CIVIL ACTION  
5 SEEKING AN INJUNCTION OR RESTRAINING ORDER TO SET ASIDE A DECISION BY THE BOARD OF LAND  
6 COMMISSIONERS REGARDING THE USE OR DISPOSITION OF STATE LANDS." *Storall* *Book*

7 *Bainard* *Crinoe* *Tan* *Rehber* *Wagner* *Murdak*

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9 *Joe* *Simpkins* *L. Smith* *Ward* *Postle* *Wells* *Book* *Engel*

10 *Goodfield* *Menahan* *Carlson* *Stang* *Hayne*  
11 NEW SECTION. Section 1. Written undertaking required in legal action for challenge to use or  
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15 incurred by the trust beneficiary if the board is wrongfully enjoined or restrained.

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19 NEW SECTION. Section 3. Saving clause. [This act] does not affect rights and duties that  
20 matured, penalties that were incurred, or proceedings that were begun before [the effective date of this  
21 act].

22 -END-

## 1 HOUSE BILL NO. 501

2 INTRODUCED BY ANDERSON, MILLER, SLITER, BOHARSKI, S. SMITH, KASTEN, GRIMES, MCGEE,  
3 CLARK, DEVANEY, KNOX, MERCER, ORR, GRADY, OHS, M. HANSON, TAYLOR, QUILICI, TASH,  
4 CRISMORE, HARP, STOVALL, ZOOK, BRAINARD, GRINDE, STORY, REHBEIN, WAGNER, MURDOCK,  
5 JORE, SIMPKINS, L. SMITH, MARSHALL, FOSTER, WELLS, BECK, SWYSGOOD, GROSFIELD,  
6 MENAHAN, PAVLOVICH, STANG, HAYNE

7  
8 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A WRITTEN UNDERTAKING IN ANY CIVIL ACTION  
9 SEEKING AN INJUNCTION OR RESTRAINING ORDER TO SET ASIDE A DECISION BY THE BOARD OF LAND  
10 COMMISSIONERS REGARDING THE USE OR DISPOSITION OF STATE LANDS."

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

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24 matured, penalties that were incurred, or proceedings that were begun before [the effective date of this  
25 act].

26 -END-