

Hargrove

SENATE BILL NO. 149

INTRODUCED BY

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A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II, SECTION 16, OF THE MONTANA CONSTITUTION TO AUTHORIZE THE LEGISLATURE TO DETERMINE THE RIGHTS AND REMEDIES FOR INJURY OR DAMAGE TO PERSON, PROPERTY, OR CHARACTER; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

"Section 16. **The administration of justice.** (1) Courts of justice shall be open to every person, and speedy remedy afforded for every injury of person, property, or character. Right and justice shall be administered without sale, denial, or delay.

(2) No person shall be deprived of ~~this full~~ legal redress for injury incurred in employment for which another person may be liable except as to fellow employees and his immediate employer who hired him if such immediate employer provides coverage under the Workmen's Compensation Laws of this state. ~~Right and justice shall be administered without sale, denial, or delay.~~

(3) This section shall not be construed as a limitation upon the authority of the legislature to enact statutes establishing, limiting, modifying, or abolishing remedies, claims for relief, damages, or allocations of responsibility for damages in any civil proceeding, except that any express dollar limits on compensatory damages for actual economic loss for bodily injury shall be approved by a two-thirds vote of each house of the legislature."

NEW SECTION. **Section 2. Effective date.** This amendment is effective on approval of the electorate.

NEW SECTION. **Section 3. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 1996 by printing on the ballot the full title of this act and the following:



SB 149
INTRODUCED BILL

