

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

INTRODUCED BY Benjamin <sup>SENATE</sup> BILL NO. 318  
BY REQUEST OF THE BUSINESS AND INDUSTRY COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTE OF LIMITATIONS FOR NEGLIGENCE OR BREACH OF CONTRACT ACTIONS BROUGHT AGAINST ACCOUNTANTS."

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

NEW SECTION. Section 1. Actions for negligence or breach of contract by accountant -- statute of limitations. (1) This section governs any action based on negligence or breach of contract that is brought against an accountant or accounting firm practicing in this state by any person or entity claiming to have been injured as a result of financial statements or other information that was examined, compiled, reviewed, certified, audited, or otherwise reported on or that was the subject of the defendant accountant's or accounting firm's opinion when the statements or information was a result of an engagement to provide public accountancy services.

(2) An action covered by this section may not be brought unless the suit is commenced on or before the earlier of:

- (a) 1 year from the date the alleged act, omission, or negligence is discovered or should have been discovered by the exercise of reasonable diligence;
- (b) 3 years after completion of the service for which the suit is brought has been performed; or
- (c) 3 years after the date of the initial issuance of the accountant's or accounting firm's report on financial statements or other information.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 27, chapter 2, part 2, and the provisions of Title 27, chapter 2, part 2, apply to [section 1].

-END-

