

HOUSE BILL NO. 584

INTRODUCED BY G. NIKOLAKAKOS, S. GIST, K. ZOLNIKOV, B. MITCHELL, R. MARSHALL, C. HINKLE, G. OBLANDER, T. BROCKMAN, M. YAKAWICH, C. SPRUNGER, J. TREBAS, J. KASSMIER, N. DURAM, N.

HASTINGS

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING CERTAIN GOVERNMENT LAWSUITS AGAINST FIREARMS OR AMMUNITION MANUFACTURERS."

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

NEW SECTION. Section 1. Government entity -- prohibitions on lawsuits related to firearms or manufacturers. (1) Except as provided in subsection (2), a government entity may not bring suit against a firearms or ammunition manufacturer, trade association, or seller for recovery of damages resulting from, or injunctive relief or abatement of a nuisance relating to, the lawful design, manufacture, marketing, or sale of firearms or ammunition to the public.

(2) Nothing in this section prohibits a government entity from bringing an action against a firearms or ammunition manufacturer, trade association, or seller for recovery of damages for:

(a) breach of contract or warranty as to firearms or ammunition purchased by a government entity;

(b) damage or harm to property owned or leased by the government entity caused by a defective firearm or ammunition; or

(c) personal injury or death, if the action arises from a government entity or an insurer for a government entity's claim for subrogation.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 2, chapter 9, and the provisions of Title 2, chapter 9, 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].

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