

HOUSE BILL NO. 243

INTRODUCED BY C. HARRIS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR PAYMENT OF DAMAGES TO THE SPOUSE AND
5 MINOR CHILDREN OF A PERSON SLAIN OR PERMANENTLY DISABLED BY A PERSON OPERATING A
6 MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL, A DRUG OR DRUGS, OR A
7 COMBINATION OF THE TWO; REQUIRING THAT EACH PLACE AT WHICH DRIVERS' LICENSES AND
8 MOTOR VEHICLE REGISTRATIONS MAY BE OBTAINED MUST HAVE PROMINENTLY POSTED A SIGN
9 NOTIFYING THE PUBLIC OF THE RIGHT TO THOSE DAMAGES; AND AMENDING SECTION 27-1-223,
10 MCA."

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

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14 **Section 1.** Section 27-1-223, MCA, is amended to read:

15 **"27-1-223. Damages for injuries or death or permanent disablement inflicted in a duel or while**
16 **operating motor vehicle while under the influence of alcohol, drugs, or combination of alcohol and drugs.**
17 ~~If any~~ (1) A person who slays or permanently disables another person in a duel ~~in this state, he~~ or while
18 operating a motor vehicle while under the influence of alcohol, a drug or drugs, or a combination of alcohol and
19 a drug or drugs ~~must~~ shall provide for the maintenance of the spouse and minor children of the person slain or
20 permanently disabled in ~~such~~ the manner and ~~at such cost~~ amount, either by aggregate compensation in
21 damages to each or by a monthly, quarterly, or annual allowance, ~~as is~~ determined by the court and ~~he~~ is liable
22 for and ~~must~~ shall pay all debts of the person slain or permanently disabled. The remedy granted by this section
23 is in addition to any other remedy, restitution, or penalty provided for by any other law.

24 (2) Each place at which driver's licenses and motor vehicle registrations may be obtained must have
25 posted a prominent sign that:

26 (a) is easily readable by the public;

27 (b) includes the text of subsection (1), minus the section heading's words "inflicted in duel or" and minus
28 the words "in a duel or" near the beginning of subsection (1); and

29 (c) clearly identifies the text as a provision of the Montana Code Annotated."

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