

SENATE BILL NO. 109

INTRODUCED BY R. LAIBLE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING STANDING TO SUE FOR ALLEGED VIOLATIONS OF OPEN MEETING LAWS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Violations -- standing to bring action against public agency. (1) The denial by a public agency or association described in 2-3-203 of a citizen's right to observe and participate in the actions and deliberations of the public agency constitutes an injury to the citizen. An allegation in a petition brought under this part that the petitioner has been denied the right to observe and participate in a public agency's decisionmaking is sufficient to establish standing to bring suit for the alleged violation.

(2) If a public agency or association described in 2-3-203 has geographical boundaries, the citizen must be a resident within the geographical boundaries to have standing under subsection (1).

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 2, chapter 3, part 2, and the provisions of Title 2, chapter 3, part 2, apply to [section 1].

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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