

1 SENATE BILL NO. 262

2 INTRODUCED BY A. BLEWETT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR DOUBLE DAMAGES FOR AN OLDER PERSON  
5 OR A PERSON WITH A DEVELOPMENTAL DISABILITY WHO SUFFERS DAMAGES FROM ABUSE,  
6 NEGLECT, OR EXPLOITATION; AND PROVIDING FOR ATTORNEY FEES AT THE DISCRETION OF THE  
7 COURT."

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

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11 NEW SECTION. **Section 1. Damages for abuse, neglect, or exploitation -- providing double**  
12 **damages and attorney fees.** (1) If an older person or a person with a developmental disability suffers a physical  
13 injury that is caused by abuse or neglect or suffers a loss of money or property caused by exploitation, the person  
14 who caused the injury or loss is liable to the older person or person with a developmental disability for two times  
15 the actual damages incurred by the older person or person with a developmental disability.

16 (2) In an action brought under this section, the court may award the prevailing party reasonable attorney  
17 fees incurred in prosecuting or defending the action.

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19 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
20 integral part of Title 52, chapter 3, part 8, and the provisions of Title 52, chapter 3, part 8, apply to [section 1].

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