

HOUSE BILL NO. 368

INTRODUCED BY W. WARBURTON

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN EMPLOYER, EXCEPT THE MONTANA STATE PRISON, MAY NOT PROHIBIT AN EMPLOYEE FROM KEEPING A FIREARM IN A LOCKED VEHICLE PARKED AT THE EMPLOYEE'S WORKPLACE OR WHILE ON THE EMPLOYER'S BUSINESS; AND PROVIDING THAT AN EMPLOYER MAY NOT BE HELD LIABLE FOR ANY INCIDENT, INJURY, OR DAMAGES RESULTING FROM A FIREARM BEING TAKEN FROM AN EMPLOYEE'S MOTOR VEHICLE."

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

NEW SECTION. Section 1. Right of employee to keep firearms in vehicle -- employer liability --

exception. (1) (a) An employer may not, by contract or otherwise, prohibit an employee:

- (i) from keeping a firearm that is locked in the trunk of the employee's motor vehicle or is out of view inside the employee's locked motor vehicle when the vehicle is parked at the employee's workplace; or
- (ii) from keeping a firearm in the employee's vehicle when the employee is using the vehicle for the employer's business.

(b) For the purposes of this subsection, "locked motor vehicle" means:

- (i) a truck or hard top automobile with the windows rolled up and the doors locked; or
- (ii) a convertible with the windows rolled up, the top up and secured, and the doors locked.

(2) A private sector employer in compliance with the provisions of subsection (1) may not be held liable for any incident, injury, or damages resulting from a firearm being taken from an employee's motor vehicle parked at the employee's workplace.

(3) The Montana state prison may adopt a policy prohibiting an employee from keeping a firearm in the employee's motor vehicle parked at the facility.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 39, chapter 2, part 3, and the provisions of Title 39, chapter 2, part 3, apply to [section 1].

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