

SENATE JOURNAL

EXHIBIT NO. 4  
2/13/13  
SB 248

# Montana Code Annotated 2011

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**76-13-116. Duties of firewardens -- liability.** (1) In addition to the duties prescribed by rule pursuant to [76-13-104](#)(7), a firewarden appointed by the department shall promptly report all fires to the department, take immediate and active steps toward their extinguishment, report any violation of the provisions of Title 76, chapter 13, parts 1 and 2, and assist in apprehending and convicting offenders.

(2) A firewarden is not liable for civil action for trespass committed in the discharge of the firewarden's duties, and the provisions of [45-6-203](#) do not apply to a firewarden acting within the course and scope of the firewarden's duties.

(3) A firewarden who has information that shows, with reasonable certainty, that a person has violated any provision of Title 76, chapter 13, parts 1 and 2, shall immediately take action against the offender by making a complaint before the appropriate authority or by providing information to the appropriate county attorney and shall obtain all possible evidence pertaining to the violation.

**History:** En. Sec. 7, Ch. 336, L. 2007.

*Provided by Montana Legislative Services*

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