



AN ACT REMOVING THE CONTRACTUAL PRESUMPTION THAT IN A CONTRACT BETWEEN A GOVERNMENT ENTITY AND A PRIVATE PARTY ALL UNCERTAINTY IS CAUSED BY THE PRIVATE PARTY; AND AMENDING SECTION 28-3-206, MCA.

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

Section 1. Section 28-3-206, MCA, is amended to read:

"28-3-206. Uncertainty to be resolved against party causing it. In cases of uncertainty not removed by parts 1 through 5 of this chapter, the language of a contract should be interpreted most strongly against the party who caused the uncertainty to exist. The promisor is presumed to be such that party, ~~except that in the case of a contract between a public officer or body, as such, and a private party, it is presumed that all uncertainty was caused by the private party.~~"

- END -

I hereby certify that the within bill,
SB 0121, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2013.

Speaker of the House

Signed this _____ day
of _____, 2013.

SENATE BILL NO. 121

INTRODUCED BY FIELDER, LARSEN, F. MOORE, TAYLOR, THOMAS, VAN DYK

AN ACT REMOVING THE CONTRACTUAL PRESUMPTION THAT IN A CONTRACT BETWEEN A GOVERNMENT ENTITY AND A PRIVATE PARTY ALL UNCERTAINTY IS CAUSED BY THE PRIVATE PARTY; AND AMENDING SECTION 28-3-206, MCA.