



AN ACT LIMITING AWARDS OF PUNITIVE DAMAGES IN CIVIL CASES OTHER THAN CLASS ACTION LAWSUITS; AND AMENDING SECTION 27-1-220, MCA.

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

**Section 1.** Section 27-1-220, MCA, is amended to read:

**"27-1-220. Punitive damages -- when allowed -- limitation.** (1) Except as otherwise expressly provided by statute and subject to subsection (3), a judge or jury may award, in addition to compensatory damages, punitive damages for the sake of example and for the purpose of punishing a defendant.

(2) (a) Unless otherwise expressly provided by statute, punitive damages may not be recovered in any action arising from:

(i) contract; or

(ii) breach of contract.

(b) Subsection (2)(a) does not prohibit recovery of punitive damages in a products liability action or an action arising under 33-18-201.

(3) An award for punitive damages may not exceed \$10 million or 3% of a defendant's net worth, whichever is less. This subsection does not limit punitive damages that may be awarded in class action lawsuits."

- END -

I hereby certify that the within bill,  
SB 0363, originated in the Senate.

---

Secretary of the Senate

---

President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

---

Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

SENATE BILL NO. 363

INTRODUCED BY MCNUTT, MENDENHALL, A. OLSON

AN ACT LIMITING AWARDS OF PUNITIVE DAMAGES IN CIVIL CASES OTHER THAN CLASS ACTION  
LAWSUITS; AND AMENDING SECTION 27-1-220, MCA.

