

HOUSE BILL NO. 52
INTRODUCED BY H. JACOBSON
BY REQUEST OF THE SECRETARY OF STATE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW ON COSTS FOR CONTESTED ELECTIONS TO PROVIDE THAT EACH PARTY IS RESPONSIBLE FOR THE PARTY'S COSTS, DISBURSEMENTS, AND REASONABLE ATTORNEY FEES; AMENDING SECTION 13-36-205, MCA; REPEALING SECTION 13-36-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-36-205, MCA, is amended to read:

"13-36-205. Recovery of Responsibility for costs. In any contest under this part, the prevailing each party may recover his is responsible for the party's costs, disbursements, and reasonable attorney's attorney fees. ~~Costs, disbursements, and attorney's fees in all such cases shall be in the discretion of the court. In case judgment is rendered against the petitioner, it shall also be rendered against the sureties on the bond.~~"

NEW SECTION. **Section 2. Repealer.** Section 13-36-204, MCA, is repealed.

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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