

SENATE BILL NO. 4

INTRODUCED BY D. LEWIS

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR IMMUNITY FROM CIVIL LIABILITY FOR SPORTS OFFICIALS AND OTHER PERSONS FOR INJURIES OR DAMAGES CAUSED BY THE NEGLIGENT ACTIONS OR INACTIONS OF THOSE OFFICIALS IN ATHLETIC CONTESTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Liability of sports officials and persons who train them.** (1) A sports official in an athletic contest, and a person who has educated, trained, or assigned the sports official for the purposes of officiating at the athletic contest, is not liable for injury or damage sustained by a person because of an alleged action or inaction of the official unless the injury or damage was sustained because of the gross negligence or the willful, wanton, or intentional action or inaction of the official in the athletic contest.

(2) As used in this section, the following definitions apply:

(a) "Athletic contest" means:

(i) a game, set, match, round, or other competition or sporting event played by participants at any educational level, including grade school, junior high school, high school, junior college, or college, or at the semiprofessional or professional level; or

(ii) a scrimmage, practice, training session, or drill undertaken in preparation for the contest described in subsection (2)(a)(i).

(b) "Sports official" or "official" means an individual who:

(i) serves as a designated umpire or referee and is a member of a local, state, regional, or national organization that educates, trains, or assigns individuals to act as umpires or referees;

(ii) serves as a designated umpire or referee without compensation and is not a member of an organization listed in subsection (2)(b)(i);

(iii) serves as an official similar to those listed in subsection (2)(b)(i) or (2)(b)(ii) but under a different title;

or

(iv) serves as a designated assistant to an individual identified in subsection (2)(b)(i), (2)(b)(ii), or



1 (2)(b)(iii).

2 (3) This section does not apply to a sports official working as part of an athletic contest for which a
3 limitation on liability is provided by other law.

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5 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
6 integral part of Title 27, chapter 1, part 7, and the provisions of Title 27, chapter 1, part 7, apply to [section 1].

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

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