

SENATE BILL NO. 100

INTRODUCED BY J. SHOCKLEY

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR DISPOSITION OF COMPENSATORY DAMAGES AND INTEREST FROM ANY FUTURE LITIGATION RESULTING FROM THE WRONGFUL USE OR OCCUPATION OF STATE LANDS; CLARIFYING LEGISLATIVE APPROPRIATION AUTHORITY; AMENDING SECTION 77-1-117, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 77-1-117, MCA, is amended to read:

"77-1-117. Disposition of fines and judgment proceeds. (1) Unless otherwise provided, all money received as fines, fees, and forfeitures under this title or as penalties for the violation of any of the land laws of this state, except money received by a justice's court, must be paid to the department of revenue for deposit in the general fund.

(2) Unless otherwise provided, all money, including interest, awarded by a court as compensatory damages under this title or any of the land laws of this state for the wrongful use or occupation of state lands must be deposited in the account or fund in which the money would have been deposited had the party assessed with the damages complied with the land laws of this state and may be paid out of the account or fund only through an appropriation by the legislature."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 3. Applicability.** [This act] applies to ~~court proceedings commenced~~ COMPENSATORY DAMAGES AWARDED ON OR after [the effective date of this act].

- END -