



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."

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

Section 3. Applicability. [This act] applies to court proceedings commenced after [the effective date of this act].

- END -

I hereby certify that the within bill,
SB 0100, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2011.

Speaker of the House

Signed this _____ day
of _____, 2011.

SENATE BILL NO. 100
INTRODUCED BY J. SHOCKLEY

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