

HOUSE BILL NO. 208

INTRODUCED BY J. O'NEIL

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING IMMUNITY FOR SOLID WASTE MANAGEMENT SYSTEM FACILITIES."

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

NEW SECTION. **Section 1. Solid waste management system immunity.** A solid waste management system facility and the agents and employees of a solid waste management system facility are immune in a civil action for injury to a person or property related to salvaging of materials by the public except for an act or omission constituting gross negligence or willful or wanton misconduct.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 75, chapter 10, part 1, and the provisions of Title 75, chapter 10, part 1, apply to [section 1].

NEW SECTION. **Section 3. Two-thirds vote required.** Because [section 1] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage.

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