

HOUSE BILL NO. 208

INTRODUCED BY J. O'NEIL

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~~ PUBLICLY OWNED SOLID waste management system immunity. A PUBLICLY OWNED solid waste management system facility and the agents and employees of a PUBLICLY OWNED 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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