

1 SENATE BILL NO. 274

2 INTRODUCED BY A. BLEWETT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING REASONABLE ATTORNEY FEES FOR ACTIONS TO
5 ENFORCE CERTAIN CONSTITUTIONAL RIGHTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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9 NEW SECTION. **Section 1. Action to enforce certain constitutional rights -- costs and attorney**
10 **fees to prevailing party.** (1) It is the intent of the legislature to allow persons to seek redress for deprivations
11 of the right to freedom of religion, freedom of assembly, freedom of speech, expression, and press, and the right
12 to bear arms, which are reserved to the citizens of Montana under Article II of the Montana constitution.13 (2) A party that prevails in a proceeding brought in court to enforce the party's rights under Article II,
14 section 5, 6, 7, or 12, of the Montana constitution may be awarded costs and reasonable attorney fees.

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16 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
17 integral part of Title 2, chapter 9, and the provisions of Title 2, chapter 9, apply to [section 1].

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19 NEW SECTION. **Section 3. Saving clause.** [This act] does not affect rights and duties that matured,
20 penalties that were incurred, or proceedings that were begun before [the effective date of this act].

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22 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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