

HOUSE BILL NO. 448

INTRODUCED BY K. WAGONER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A PLAINTIFF WHO PREVAILS AND OBTAINS RELIEF AT ANY STAGE IN AN ACTION AGAINST THE STATE ENFORCING THE CONSTITUTIONAL RIGHT TO KNOW BE AWARDED COSTS AND REASONABLE ATTORNEY FEES; AMENDING SECTION 2-3-221, 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 2-3-221, MCA, is amended to read:

"2-3-221. Costs to plaintiff in certain actions to enforce constitutional right to know. A plaintiff who prevails and obtains relief at any stage in an action brought in district court to enforce the plaintiff's rights under Article II, section 9, of the Montana constitution ~~may~~ must be awarded costs and reasonable attorney fees."

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

NEW SECTION. **Section 3. Applicability.** [This act] applies to proceedings initiated on or after [the effective date of this act].

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