

HOUSE BILL NO. 448

INTRODUCED BY K. WAGONER

A BILL FOR AN ACT ENTITLED: "AN ACT ~~REQUIRING THAT~~ ALLOWING A PLAINTIFF PERSON ALLEGING A DEPRIVATION OF RIGHTS WHO PREVAILS ~~AND OBTAINS RELIEF AT ANY STAGE~~ IN AN ACTION AGAINST THE STATE ENFORCING THE CONSTITUTIONAL RIGHT TO KNOW TO 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 PERSON ALLEGING A DEPRIVATION OF RIGHTS who prevails ~~and obtains relief at any stage~~ in an action brought in district court to enforce the plaintiff's PERSON'S rights under Article II, section 9, of the Montana constitution ~~may~~ must MAY 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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