

HOUSE BILL NO. 427

INTRODUCED BY A. KNUDSEN, J. POMNICHOWSKI

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A REAL PROPERTY OWNER IS NOT LIABLE FOR DAMAGES OR INJURY RESULTING FROM ACTS OR OMISSIONS BY A VOLUNTEER FIREFIGHTER WHILE ENGAGED IN FIRE SUPPRESSION ACTIVITIES ON THE OWNER'S PROPERTY; AND AMENDING SECTION 7-33-2208, MCA."

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

**Section 1.** Section 7-33-2208, MCA, is amended to read:

**"7-33-2208. Fire control powers -- liability.** (1) Any county rural fire chief, district rural fire chief or deputy, or fire service area or fire company fire chief or deputy may enter private property or direct the entry of fire control crews for the purpose of suppressing fires.

(2) A chief or deputy and the county, rural district, fire company, or fire service area are immune from suit for injury to persons or property resulting from actions taken to suppress fires under 10-3-209 or this section. An entity or individual listed in this section is also immune from suit for injury to persons or property resulting from a determination not to provide assistance requested pursuant to 10-3-209.

(3) An owner of real property is not liable for damages or injury resulting from acts or omissions by a volunteer firefighter of a rural fire district, fire service area, or fire company while the firefighter is engaged in fire suppression activities on the owner's property."

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