## Amendment - 2nd Reading-yellow - Requested by: George Nikolakakos - (H) Committee of the Whole

- 2023

68th Legislature 2023 Drafter: Jameson Walker, 406-444-3722 HB0584.001.001

1	HOUSE BILL NO. 584
2	INTRODUCED BY G. NIKOLAKAKOS, J. TREBAS, N. DURAM, J. KASSMIER, K. ZOLNIKOV, B. MITCHELL
3	S. GIST, C. HINKLE, R. MARSHALL, M. YAKAWICH, T. BROCKMAN, G. OBLANDER, C. SPRUNGER, N.
4	HASTINGS
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING CERTAIN GOVERNMENT LAWSUITS AGAINST
7	FIREARMS OR AMMUNITION MANUFACTURERS."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	
11	NEW SECTION. Section 1. Government entity prohibitions on lawsuits related to firearms or
12	manufacturers. (1) Except as provided in subsection (2), a government entity may not bring suit against a
13	firearms or ammunition manufacturer, trade association, or seller for recovery of damages resulting from, or
14	injunctive relief or abatement of a nuisance relating to, the lawful design, manufacture, marketing, or sale of
15	firearms or ammunition to the public.
16	(2) Nothing in this section prohibits a government entity from bringing an action against a firearms
17	or ammunition manufacturer, trade association, or seller for recovery of damages for:
18	(a) breach of contract or warranty as to firearms or ammunition purchased by a government entity
19	<u>or</u>
20	(b) damage or harm to property owned or leased by the government entity caused by a defective
21	firearm or ammunition <del>; or</del>
22	(c) personal injury or death, if the action arises from a government entity or an insurer for a
23	government entity's claim for subrogation.
24	
25	NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
26	integral part of Title 2, chapter 9, and the provisions of Title 2, chapter 9, apply to [section 1].
27	



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- 1 <u>NEW SECTION.</u> **Section 3. Saving clause.** [This act] does not affect rights and duties that matured,
- 2 penalties that were incurred, or proceedings that were begun before [the effective date of this act].

3 - END -



