

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:
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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 or injunctive relief for:

18 (a) breach of contract or warranty as to firearms or ammunition purchased by a government entity;

19 OR

20 (b) damage or harm to property owned or leased by the government entity caused by a defective
21 firearm or ammunition; ~~or;~~

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 (c) restricting or limiting the sale of a defective firearm or ammunition; or

25 (d) personal injury or death, if the action arises from a government entity or an insurer for a
26 government entity's claim for subrogation for injuries caused by a defective firearm or ammunition.
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Amendment - 2nd Reading/2nd House-tan - Requested by: Andrea Olsen - (S) Committee of Whole

- 2023

68th Legislature 2023

Drafter: Julianne Burkhardt, 406-444-4025

HB0584.002.002

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

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

6 - END -

AMENDED