

1 SENATE BILL NO. 218

2 INTRODUCED BY G. HERTZ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO CIVIL SETTLEMENTS; AND
5 PROVIDING THAT A ~~PARTY TO PLAINTIFF IN~~ A SETTLEMENT MAY NOT DEMAND THAT DAMAGES BE
6 CLASSIFIED IN A CERTAIN CATEGORY OF DAMAGES UNLESS THE PARTIES AGREE."

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

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10 NEW SECTION. Section 1. Compromise and settlement of civil claims -- negotiation. (1) Except
11 as provided in subsection (2), a party plaintiff in a settlement negotiation may not demand, as a condition of
12 settlement, that the settlement proceeds are classified as a specific category of damage that does not
13 accurately describe the specific damages at issue.

14 (2) The parties may stipulate that any damages may be classified as any category of damages.
15 The stipulation must be included in the settlement agreement.

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17 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
18 integral part of Title 27, chapter 1, and the provisions of Title 27, chapter 1, apply to [section 1].

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