HOUSE BILL NO. 204

INTRODUCED BY B. PHALEN

A BILL FOR AN ACT ENTITLED: “AN ACT PROVIDING FOR A CAUSE OF ACTION FOR ALIENATION OF AFFECTION; REPEALING SECTION 27-1-601, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.”

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

NEW SECTION. Section 1. Action for alienation of affection. When the loss of affection or consortium of a spouse is caused by the wrongful act of another, the injured spouse may maintain an action for damages against the person causing the loss of affection or consortium.

NEW SECTION. Section 2. Repealer. The following section of the Montana Code Annotated is repealed:

27-1-601. Cause of action for alienation of affections abolished.

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 27, chapter 1, part 5, and the provisions of Title 27, chapter 1, part 5, apply to [section 1].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 5. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to claims that accrued within 3 years before [the effective date of this act].

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