AN ACT REVISING LAWS RELATED TO INJUNCTIONS; PROVIDING THAT AN INJUNCTION MAY NOT BE
GRANTED REGARDING AN ADMINISTRATIVE RULE BEFORE THE RULE IS ISSUED; AMENDING
SECTION 27-19-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE
APPLICABILITY DATE.

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

Section 1. Section 27-19-103, MCA, is amended to read:

"27-19-103. When injunction may not be granted. An injunction cannot be granted:

(1) to stay a judicial proceeding pending at the commencement of an action in which the injunction
is demanded, unless such restraint is necessary to prevent a multiplicity of such proceedings;
(2) to stay proceedings in a court of the United States;
(3) to stay proceedings in another state upon a judgment of a court of that state;
(4) to prevent the execution of a public statute by officers of the law for the public benefit;
(5) to prevent the breach of a contract the performance of which would not be specifically
enforced;
(6) to prevent the exercise of a public or private office, in a lawful manner, by the person in
possession;
(7) to prevent a legislative act by a municipal corporation;
(8) in labor disputes under any other or different circumstances or conditions than if the
controversy were of another or different character or between parties neither or none of whom were laborers or
interested in labor questions;
(9) to prevent the secretary of state from issuing a temporary or final administrative rule before the
administrative rule is issued."

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Authorized Print Version – SB 135
ENROLLED BILL
Section 2. Effective date. [This act] is effective on passage and approval.

Section 3. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to all occurrences on or after January 1, 2021.

- END -
I hereby certify that the within bill, SB 135, originated in the Senate.

___________________________________________
Secretary of the Senate

___________________________________________
President of the Senate

Signed this _______________________________day of _______________________________, 2023.

___________________________________________
Speaker of the House

Signed this _______________________________day of _______________________________, 2023.
SENATE BILL NO. 135
INTRODUCED BY S. FITZPATRICK

AN ACT REVISING LAWS RELATED TO INJUNCTIONS; PROVIDING THAT AN INJUNCTION MAY NOT BE GRANTED REGARDING AN ADMINISTRATIVE RULE BEFORE THE RULE IS ISSUED; AMENDING SECTION 27-19-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.