

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING HOW TO CALCULATE ATTORNEY FEES  
5 AWARDED AGAINST A GOVERNMENT ENTITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

6

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

8

9 NEW SECTION. **Section 1. Calculating attorney fees awarded against government entity.** In a  
10 legal action in which attorney fees are assessed, awarded, or otherwise incurred, whether by operation of law  
11 or by order of a court, against the state, a political subdivision, or an agency of the state or a political  
12 subdivision, the attorney fees must be calculated not to exceed the hourly salary rate paid to the attorney  
13 general, as determined under 2-16-405, multiplied by the number of attorney hours devoted to the action.

14

15 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
16 integral part of Title 25, chapter 10, part 7, and the provisions of Title 25, chapter 10, part 7, apply to [section 1].

17

18 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

19

- END -