

SENATE BILL NO. 423

INTRODUCED BY K. BOGNER, D. BEDEY, M. MALONE, T. WELCH, J. COHENOUR, E. KERR-CARPENTER, K. ZOLNIKOV, A. BUCKLEY, M. MARLER, D. FERN, B. MITCHELL, E. STAFMAN, M. THANE, T. MOORE, M. BERTOGLIO, J. DOOLING, B. MERCER, B. LER, A. REGIER, K. SEEKINS-CROWE, L. JONES, D. LOGE, B. KEENAN, R. FITZGERALD, G. PARRY, M. YAKAWICH, B. BROWN, K. REGIER, J. SMALL, W. SALES, S. HINEBAUCH, T. MCGILLVRAY, P. FLOWERS, M. DUNWELL, E. MCCLAFFERTY, B. USHER, D. LENZ, C. FRIEDEL, J. WELBORN, B. GILLESPIE, D. SALOMON, C. GLIMM, M. LANG, P. GREEN, C. SPRUNGER, D. ZOLNIKOV, B. BARKER, R. MINER, D. HARVEY, D. EMRICH, J. TREBAS, J. KASSMIER, B. BEARD, J. KARLEN, F. MANDEVILLE, T. VERMEIRE, N. DURAM

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LIABILITY RELATED TO FIREARM HOLD AGREEMENTS; LIMITING LIABILITY FOR AN INDIVIDUAL OR A PRIVATE ENTITY THAT RETURNS A FIREARM TO THE OWNER AT THE END OF A FIREARM HOLD AGREEMENT; AND PROVIDING A DEFINITION.

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

**NEW SECTION. Section 1. Limitation of liability -- firearm hold agreement -- definition.** (1) No

cause of action may arise against an individual or a private entity for returning a firearm to the firearm owner at the termination of a firearm hold agreement.

(2) The immunity provided in subsection (1) does not apply to an action arising from a firearm hold agreement if the action was the result of otherwise unlawful conduct on the part of the individual or private entity holding a firearm for another individual.

(3) As used in this section, "firearm hold agreement" means a written or oral agreement between a firearm owner and another individual or a private entity in which the other individual or private entity takes physical possession of the firearm owner's lawfully possessed firearm at the owner's request, holds the firearm for an agreed period of time, and returns the firearm to the owner according to the terms of the agreement.

