

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 Repealer.** The following section of the Montana Code Annotated is repealed:  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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