

HOUSE BILL NO. 649

INTRODUCED BY D. MCALPIN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING TIMESHARE ASSOCIATIONS TO REGISTER WITH  
5 AND TO PROVIDE A LIST OF TIMESHARE OWNERS TO THE SECRETARY OF STATE; REQUIRING  
6 TIMESHARE DEVELOPERS TO NOTIFY THE SECRETARY OF STATE OF CERTAIN ACTIONS BY A  
7 TIMESHARE ASSOCIATION, INCLUDING DEFAULTING ON PAYMENTS; REQUIRING TIMESHARE  
8 ASSOCIATIONS TO NOTIFY THE SECRETARY OF STATE OF VOLUNTARY AND INVOLUNTARY  
9 DISSOLUTION PROCEEDINGS AFFECTING THE ASSOCIATION OR OF TRANSFER OF THE  
10 ASSOCIATION'S DUTIES; AND REQUIRING THE SECRETARY OF STATE TO NOTIFY TIMESHARE  
11 OWNERS OF PAYMENT DEFAULT, DISSOLUTION, OR TRANSFER OF DUTIES BY THE TIMESHARE  
12 ASSOCIATION REPRESENTING THE OWNERS."

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

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16 NEW SECTION. **Section 1. Duties of timeshare developer -- timeshare association.** (1) (a) A  
17 developer, as defined in 37-53-102, shall notify any association, as defined in 37-53-102, with which the  
18 developer has a business relationship, that the association shall register with the secretary of state.

19 (b) A developer shall notify the secretary of state of any default in payment by the association,  
20 dissolution of the association, or transfer of the association's duties to a subsequent association or other entity.

21 (2) (a) An association operating in this state shall register with the secretary of state on forms and in a  
22 manner prescribed by the secretary of state.

23 (b) The association shall provide the secretary of state with a list of all timeshare owners represented  
24 by the association at the time of registration and shall provide an updated list every 180 days.

25 (c) (i) An association may not voluntarily dissolve or transfer its duties to a subsequent association or  
26 other entity without first notifying the secretary of state.

27 (ii) An association that is subject to any involuntary dissolution proceeding shall notify the secretary of  
28 state of the proceeding.

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30 NEW SECTION. **Section 2. Duties of secretary of state regarding timeshares.** (1) The secretary

1 of state shall maintain a registry of all timeshare associations operating in this state and shall maintain a file of  
2 timeshare owners represented by an association as provided for in [section 1(2)(b)].

3 (2) The secretary of state shall notify each timeshare owner represented by an association of any notice  
4 received by the secretary of state of an association's default in payment, transfer of duties to a subsequent  
5 association or other entity, or voluntary or involuntary dissolution, including any dissolution proceeding initiated  
6 by the secretary of state.

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8 NEW SECTION. **Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified  
9 as an integral part of Title 30, chapter 14, and the provisions of Title 30, chapter 14, apply to [sections 1 and 2].

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