



AN ACT PROVIDING THAT PRIOR TO SIGNING A WRITTEN RENTAL AGREEMENT THE LANDLORD AND TENANT SHALL AGREE TO ACCEPT THE DEFAULT EXTENSION PERIOD FOR THE LEASE CHOSEN BY THE TENANT THAT IS TO BE GIVEN EFFECT IF THE LEASE IS NOT REVISED OR NEITHER PARTY GIVES NOTICE OF TERMINATION TO THE OTHER PRIOR TO THE RENTAL AGREEMENT'S ORIGINAL TERMINATION DATE.

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

Section 1. Extension of written rental agreements. (1) Prior to signing a written rental agreement, the landlord and tenant shall agree to accept a default extension period for the lease chosen by the tenant pursuant to subsection (2) that is to be given effect if a revised lease is not agreed to or if neither party gives a 30-day written notice of termination to the other prior to the rental agreement's original termination date.

(2) The tenant shall choose from a list of default options, including but not limited to renewal for an additional term of equal length as the original term, renewal for a set term that is not of equal length as the original term, renewal on a month-to-month basis, or termination of the tenancy.

(3) If neither party gives a 30-day written notice to the other as to the extension or termination of the tenancy, the mutually agreed upon default option takes affect immediately following the termination of the original rental agreement.

(4) If the landlord and tenant fail to establish a default option at the beginning of the tenancy as required in subsection (1) and neither party gives a 30-day written notice to the other to terminate the tenancy, the tenancy continues on a month-to-month basis.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 70, chapter 24, part 2, and the provisions of Title 70, chapter 24, part 2, apply to [section 1].

- END -

I hereby certify that the within bill,
SB 0323, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE BILL NO. 323

INTRODUCED BY ERICKSON, KOTTEL

AN ACT PROVIDING THAT PRIOR TO SIGNING A WRITTEN RENTAL AGREEMENT THE LANDLORD AND TENANT SHALL AGREE TO ACCEPT THE DEFAULT EXTENSION PERIOD FOR THE LEASE CHOSEN BY THE TENANT THAT IS TO BE GIVEN EFFECT IF THE LEASE IS NOT REVISED OR NEITHER PARTY GIVES NOTICE OF TERMINATION TO THE OTHER PRIOR TO THE RENTAL AGREEMENT'S ORIGINAL TERMINATION DATE.