

1 HOUSE BILL NO. 200

2 INTRODUCED BY J. O'HARA

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT SMALL CLAIMS COURTS HAVE CONCURRENT
5 JURISDICTION WITH JUSTICES' COURTS AND DISTRICT COURTS WITHIN THEIR RESPECTIVE
6 COUNTIES IN ACTIONS OF FORCIBLE ENTRY AND UNLAWFUL DETAINER AND IN ACTIONS BROUGHT
7 UNDER TITLE 70, CHAPTER 24, THE RESIDENTIAL LANDLORD AND TENANT ACT OF 1977."

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

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11 NEW SECTION. **Section 1. Jurisdiction over forcible entry, unlawful detainer, and residential**
12 **landlord-tenant disputes.** Small claims courts have concurrent jurisdiction with justices' courts and district courts
13 within their respective counties in actions of forcible entry and unlawful detainer and in actions brought under Title
14 70, chapter 24.

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16 NEW SECTION. **Section 2. Actions for forcible entry and unlawful detainer.** An action for the
17 recovery of the possession of real property must be commenced in the county in which the real property or any
18 part of the property affected by the action is located.

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20 NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an
21 integral part of Title 3, chapter 12, part 1, and the provisions of Title 3, chapter 12, part 1, apply to [section 1].

22 (2) [Section 2] is intended to be codified as an integral part of Title 25, chapter 35, part 5, and the
23 provisions of Title 25, chapter 35, part 5, apply to [section 2].

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