68th Legislature HJ 22.1

1	HOUSE JOINT RESOLUTION NO. 22		
2	INTRODUCED BY S. KERNS, S. GUNDERSON, D. BEDEY, M. MALONE, T. WELCH, J. HAMILTON, J.		
3	COHENOUR, F. ANDERSON, J. SCHILLINGER, S. GIST, G. NIKOLAKAKOS, K. ZOLNIKOV, A. BUCKLEY		
4	D. FERN, B. MITCHELL, P. FIELDER, K. SULLIVAN, L. SHELDON-GALLOWAY, T. MOORE, M. BERTOGLIG		
5	L. BREWSTER, J. DOOLING, B. MERCER, G. FRAZER, M. BINKLEY, S. GALLOWAY, R. MARSHALL, E.		
6	BUTTREY, J. READ, M. HOPKINS, G. OBLANDER, J. BERGSTROM, G. PARRY, M. YAKAWICH, K.		
7	REGIER, J. GROSS, S. MORIGEAU, K. BOGNER, P. GREEN, G. KMETZ, J. FITZPATRICK, D. ZOLNIKO		
8	B. BARKER, R. MINER, J. LYNCH, P. TUSS, D. HARVEY, D. EMRICH, B. PHALEN, J. KARLEN, B. CARTE		
9	M. ROMANO, L. DEMING, L. HELLEGAARD, S. HOWELL, F. MANDEVILLE, T. VERMEIRE, Z. WIRTH, N.		
10	DURAM, E. BOLDMAN, M. DUNWELL, B. BROWN		
11			
12	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF		
13	MONTANA REQUESTING AN INTERIM STUDY OF ACCESSORY DWELLING UNITS; AND REQUIRING		
14	THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 69TH LEGISLATURE.		
15			
16	WHEREAS, an accessory dwelling unit is an often smaller, independent residential dwelling unit		
17	located on the same lot as an existing residence and may be detached, attached, or located on the interior of		
18	the existing structure; and		
19	WHEREAS, accessory dwelling units have become more popular across the United States in areas		
20	experiencing high housing costs, such as Montana, since an accessory dwelling unit allows for additional,		
21	affordable housing stock and may alleviate housing shortages; and		
22	WHEREAS, the addition of many accessory dwelling units in cities and counties raises possible		
23	concerns for infrastructure capacity, including adequate water, sewer, and storm water drainage facilities,		
24	whether the addition of multiple accessory dwelling units changes the nature of a neighborhood, and whether		
25	additional dedicated parking should be provided for lots with an accessory dwelling unit; and		
26	WHEREAS, other restrictions to allowing more accessory dwelling units, such as covenant restrictions,		
27	homeowners' association bylaws, local fees, or other local ordinances or regulations, such as zoning		
28	regulations, may discourage the use of accessory dwelling units; and		



68th Legislature HJ 22.1

1	WHEREAS, it is in the best interest of Montana's citizens that the state encourage affordable housing,		
2	and accessory dwelling units offer a solution that may benefit the state after further study of the impacts,		
3	restrictions, and considerations related to allowing or promoting accessory dwelling units.		
4			
5	NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF		
6	THE STATE OF MONTANA:		
7	That the Legislative Council be requested to designate an appropriate interim committee or statutory		
8	committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:		
9	(1)	review the policies of other states that allow or promote accessory dwelling units;	
10	(2)	examine the economic, environmental, and local impacts of allowing additional accessory	
11	dwelling units, including any impacts to the tax base of the locality where the accessory dwelling unit is located		
12	(3)	identify current restrictions that discourage or disallow the usage of accessory dwelling units	
13	and examine the reasons for the restriction;		
14	(4)	determine if common local requirements, such as additional parking spaces, minimum square	
15	footage, other dimensional standards, or fees for use, unnecessarily restrict the usage of accessory dwelling		
16	units;		
17	(5)	determine if areas exist where accessory dwelling units are most beneficial and where they	
18	may cause undue burden on the local area; and		
19	(6)	if necessary, develop legislation or recommend other policy changes related to accessory	
20	dwelling units.		
21	BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be		
22	presented to and reviewed by an appropriate committee designated by the Legislative Council.		
23	BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review		
24	requirements, be concluded prior to September 15, 2024.		
25	BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,		
26	comments, or recommendations of the appropriate committee, be reported to the 69th Legislature.		
27		- END -	

