

SENATE BILL NO. 384

INTRODUCED BY R. WEBB

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT CERTAIN NOTICES OF NO CONTACT BE ISSUED ONLY AFTER AUTHORIZATION BY A COURT OF COMPETENT JURISDICTION."

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

NEW SECTION. Section 1. Notice of no contact. (1) Except as provided in 45-5-209, a notice of no contact to a landlord for the benefit of a tenant OR TO A TENANT FOR THE BENEFIT OF A LANDLORD may only be authorized pursuant to an order of no contact issued by a court of competent jurisdiction:

~~(2) The prohibition in subsection (1) is applicable only under the following circumstances:~~

~~(a) the tenant owes past rent to the landlord;~~

~~(b) the tenant owes damages to the landlord by order of a court;~~

~~(c) the landlord has given the tenant notice of intent to enter the premises under 70-24-312(3); or~~

~~(d) if the landlord~~ IF THE PERSON RECEIVING THE NOTICE OF NO CONTACT is acting in accordance with the provisions of Title 70, chapter 24, 25, or 33.

~~(2)~~ Except as provided by 45-5-209 or this section, or if issued pursuant to an order of protection issued by a court of competent jurisdiction, a notice of no contact to a landlord for the benefit of a tenant OR TO A TENANT FOR THE BENEFIT OF A LANDLORD is invalid.

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

(2) [Section 1] is intended to be codified as an integral part of Title 70, chapter 33, and the provisions of Title 70, chapter 33, apply to [section 1].

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