

HOUSE JOINT RESOLUTION NO. 29

INTRODUCED BY K. KELKER

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE MONTANA RESIDENTIAL LANDLORD AND TENANT ACT OF 1977.

WHEREAS, the Legislature adopted the Montana Residential Landlord and Tenant Act (MRLTA) in 1977; and

WHEREAS, the MRLTA was substantially based upon the Uniform Residential Landlord and Tenant Act that was approved by the National Conference of Commissioners on Uniform State Laws; and

WHEREAS, provisions in the MRLTA have been revised numerous times since its enactment in 1977; and

WHEREAS, the Legislature considered nine bills proposing revisions to the MRLTA during the 65th legislative session alone; and

WHEREAS, a comprehensive review of the MRLTA and its various provisions has not been conducted since its enactment; and

WHEREAS, a study of the MRLTA would allow future legislatures to comprehensively evaluate and consider potential revisions to Montana's residential landlord and tenant laws.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

(1) conduct a comprehensive review of the Montana Residential Landlord and Tenant Act (MRLTA) in Title 70, chapter 24, including an investigation of residential security deposit provisions in Title 70, chapter 25, to determine whether any revisions are necessary;

(2) review the 2015 Revised Uniform Residential Landlord and Tenant Act from the National Conference of Commissioners on Uniform State Laws to determine whether the revised act or portions of the revised act should be adopted in Montana; and



1 (3) review and assess remedies available to landlords and tenants under existing law, including criminal
2 remedies and enforcement options.

3 BE IT FURTHER RESOLVED, that the study include representatives from interested parties, including
4 the Montana Landlords Association, Montana Legal Services Association, student associations from Montana
5 universities and colleges, local government and law enforcement, the Montana Magistrates Association, or other
6 representatives of courts in Montana that regularly interpret and apply provisions of the MRLTA.

7 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
8 presented to and reviewed by an appropriate committee designated by the Legislative Council.

9 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
10 requirements, be concluded prior to September 15, 2018.

11 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
12 comments, or recommendations of the appropriate committee, be reported to the 66th Legislature.

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