

1 HOUSE JOINT RESOLUTION NO. 50

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6 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
7 MONTANA REQUESTING AN INTERIM STUDY OF THE UNIFORM COMMON INTEREST OWNERSHIP
8 ACT; AND REQUESTING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 70TH
9 LEGISLATURE.

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11 WHEREAS, the Montana Legislature commonly hears and considers legislation each session
12 regarding owners' associations; and

13 WHEREAS, the joint Local Government Interim Committee has studied owners' associations for the
14 past two legislative cycles, including learning about the makeup of owners' associations, studying our current
15 legal structure that applies to owners' associations, talking to stakeholders that work with owners' associations
16 about how to address owners' associations in Montana law, and discussing the implementation of the Uniform
17 Common Interest Ownership Act to address concerns about owners' associations; and

18 WHEREAS, during the interim committee's work, it was discussed that the Uniform Common Interest
19 Ownership Act also addresses the Unit Ownership Act in Title 70, chapter 23, MCA, which governs
20 condominiums in Montana and has not been thoroughly amended since its adoption in 1965; and

21 WHEREAS, the laws in banking, insurance, title, real estate, and development industries have
22 significantly changed since 1965; and

23 WHEREAS, it was identified in the last Local Government Interim Committee that the Uniform Common
24 Interest Ownership Act was specifically drafted by the Uniform Law Commission to address the issues the
25 committee identified regarding owners' associations; and

26 WHEREAS, the committee asked members of the Montana Bar Association to review and draft, with
27 input from stakeholders, the Uniform Common Interest Ownership Act, which the Local Government Interim
28 Committee would consider for possible introduction to the 69th Legislature; and

1 WHEREAS, the draft of the Uniform Common Ownership Act was completed after the final meeting of
2 the Local Government Interim Committee and therefore could not be considered and introduced as a committee
3 bill; and

4 WHEREAS, the Uniform Common Interest Ownership Act was introduced in the 69th Legislature as
5 House Bill No. 619 and was co-sponsored by all sitting legislators that sat on the Local Government Interim
6 Committee; and

7 WHEREAS, the House Judiciary Committee tabled House Bill No. 619 after committee members
8 argued that the bill was too large and complex to understand after one hearing and needed more review; and

9 WHEREAS, it is in the best interests of Montanans to have comprehensive and updated laws
10 governing owners' associations and condominiums.

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

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

16 (1) review and analyze the Uniform Common Interest Ownership Act, as introduced in the 69th
17 Legislature as House Bill No. 619, for potential implementation in Montana;

18 (2) review and analyze the current structure of Montana law, including laws governing nonprofit
19 organizations in Title 35, chapter 2, MCA, the Unit Ownership Act in Title 70, chapter 23, MCA, and other laws
20 that specifically address owners' associations; and

21 (3) determine if legislative changes are warranted to address owners' associations in Montana.

22 BE IT FURTHER RESOLVED, that the study include representatives from interested parties, including
23 but not limited to the Montana Bankers Association, Montana Land Title Association, Montana Association of
24 Realtors, and other industry representatives as considered appropriate.

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

27 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
28 requirements, be concluded prior to September 15, 2026.

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