



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

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

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

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

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

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

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

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

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

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

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

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) review and analyze the Uniform Common Interest Ownership Act, as introduced in the 69th Legislature as House Bill No. 619, for potential implementation in Montana;
- (2) review and analyze the current structure of Montana law, including laws governing nonprofit organizations in Title 35, chapter 2, MCA, the Unit Ownership Act in Title 70, chapter 23, MCA, and other laws that specifically address owners' associations; and
- (3) determine if legislative changes are warranted to address owners' associations in Montana.

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

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

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

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 70th Legislature.

- END -

I hereby certify that the within bill,
HJ 50, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE JOINT RESOLUTION NO. 50

INTRODUCED BY A. GRIFFITH, D. BAUM, M. CAFERRO, B. CARTER, B. CLOSE, M. CUNNINGHAM, C. FITZPATRICK, M. FOX, T. FRANCE, J. HINKLE, J. ISALY, S. KELLY, C. KEOGH, K. SULLIVAN, D. JOY, S. KLAKKEN, L. MUSZKIEWICZ, G. OVERSTREET, F. SMITH, E. STAFMAN, M. THANE, P. TUSS

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