



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: HB0147: Revise laws related to covenants to provide definition of enforcement action

Primary Sponsor: Jedediah Hinkle Status: As Introduced

☐ Included in the Executive Budget ☐ Needs to be included in HB 2 ☐ Significant Local Gov Impact  
☐ Significant Long-Term Impacts ☐ Technical Concerns ☐ Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>	<u>FY 2028 Difference</u>	<u>FY 2029 Difference</u>
<b>Expenditures</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>General Fund Balance</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

### Description of fiscal impact

HB147 amends Section 70-17-210, MCA, to provide a clear definition of "enforcement action" in relation to covenants, conditions, and restrictions on land use. Specifically, it stipulates that an enforcement action must demonstrate that the covenant has been consistently enforced across all properties subject to it for a minimum period of two years. This change aims to clarify the conditions under which a parcel owner can assert that a covenant has been abandoned due to lack of enforcement.

### FISCAL ANALYSIS

#### Assumptions

#### Department of Natural Resources and Conservation

1. The definitional change called for in HB 147 does not affect DNRC because state trust lands are not subject to covenants.

Jedediah Hinkle  
Sponsor's Initials

1/27/25  
Date

RD  
Budget Director's Initials

1/26/2025  
Date