

HOUSE BILL NO. 427

INTRODUCED BY K. ZOLNIKOV

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY OR  
A LOCAL BUILDING DEPARTMENT TO PROVIDE THE TEXT OR CITATION OF THE SPECIFIC SECTIONS  
OF THE BUILDING CODE RELIED ON TO DELAY A PERMIT APPLICATION OR STOP A CONSTRUCTION  
PROJECT; PROVIDING A REMEDY; AND CREATING A CAUSE OF ACTION."

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

**NEW SECTION. Section 1. Building code section to be provided -- department penalty.** (1) If the  
department or local building department delays the issuance of a building permit beyond the standard review  
period of a complete application, or stops work on a construction project because of noncompliance with the  
state building code adopted pursuant to 50-60-203 or a building code adopted by a county, city, or town  
pursuant to 50-60-301, the person applying for a permit or constructing the project may request in writing or  
electronically that the department or local building department provide the person with the text or citation of the  
specific sections of the building code applicable to the permit application or construction project that the  
department or local building department is relying on to cause the delay of the permit application or the  
stoppage of the construction project.

(2) If a project also requires zoning, subdivision, or other approval, the department or local building  
department may require those reviews to be completed before determining a building application is complete.

(2)(3) The department or local building department shall provide the text or citations requested under  
subsection (1) within 7 ~~calendar~~ BUSINESS days.

~~(3) Failure to provide the text or citation of the specific sections of the building code applicable to~~  
~~the permit application or the construction project that the department or local building department is relying on~~  
~~to cause the delay of the permit application or the stoppage of the construction project within 7 calendar~~  
~~BUSINESS days waives the application of those sections of the building code to the permit application or the~~

**Amendment - 1st Reading/2nd House-blue - Requested by: Daniel Zolnikov - (S) Business, Labor and Economic Affairs**

- 2025

69th Legislature 2025

Drafter: Matthew Weaver,

HB0427.002.001

1 ~~construction project.~~

2 ~~(4) If the department or local building department does not respond to the request in accordance~~  
3 ~~with subsection (3), it shall pay to the requesting party a sum of \$50 for each day beyond the required response~~  
4 ~~period until the text or citation is provided to the requesting party.~~

5 ~~(4)(5)~~ (a) A person aggrieved by ~~delays associated with~~ the failure to provide the text or citation of the  
6 specific sections of the building code ~~as required~~ under subsection (1) may ~~also~~ file a civil action in district court  
7 for appropriate relief, including any compensatory damages ~~related to a delay of the permit application or a~~  
8 ~~stoppage of the construction project.~~

9 (b) ~~A The~~ prevailing ~~plaintiff party~~ is entitled to reasonable court costs and attorney fees.

10  
11 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
12 integral part of Title 50, chapter 60, part 1, and the provisions of Title 50, chapter 60, part 1, apply to [section 1].

13 - END -