

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

- 2025

69th Legislature 2025

Drafter: Matthew Weaver,

HB0225.002.001

HOUSE BILL NO. 225

INTRODUCED BY E. TILLEMAN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO HOME INSPECTIONS;  
ALIGNING THE HOME INSPECTION PROGRAM WITH OTHER DEPARTMENTAL LICENSING PROGRAMS;  
PROVIDING DEFINITIONS; PROVIDING FEES; PROVIDING RULEMAKING AUTHORITY; REVISING LAW  
RELATED TO HOME INSPECTION LICENSURE; INCREASING THE MINIMUM COVERAGE AMOUNT FOR  
ERRORS AND OMISSIONS INSURANCE; PROVIDING STANDARDS FOR THE PRACTICE OF HOME  
INSPECTIONS; AMENDING SECTIONS 37-1-401, 39-9-101, 39-9-102, 39-9-206, 39-9-207, 39-9-301, AND  
39-9-303, MCA; REPEALING SECTIONS 39-9-212 AND 39-9-213, MCA; AND PROVIDING A DELAYED  
EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 4], the following definitions  
apply:

- (1) "Department" means the department of labor and industry.
- (2) (a) "Home inspection" means a physical examination of a residential dwelling to identify major  
defects in various attributes of or attachments to the dwelling, including mechanical, electrical, and plumbing  
systems in addition to structural and other essential components. Home inspections are performed for  
compensation and employ visual observation and the testing of user controls but not mathematical or  
specialized engineering sciences.
- (b) The term does not mean a physical examination of a residential dwelling when the owner or a  
representative of the owner requests the examination by an individual who is licensed in this state and acting  
within the scope of practice of the individual's profession or occupation.
- (3) "Home inspection report" means a written document prepared by a home inspector for a client  
and issued to the client in exchange for compensation after a home inspection has been completed. The report

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to the credit of the department for administration and enforcement of this chapter.

(b) Penalties under this section do not apply to a violation that is determined to be an inadvertent error."

**Section 11.** Section 39-9-303, MCA, is amended to read:

**"39-9-303. Department to compile and update registration lists -- availability -- fee.** (1) The department shall compile a list of all construction contractors and home inspectors registered under this chapter and update the list at least bimonthly. ~~list of construction contractors at least bimonthly and the list of home inspectors as provided by rule.~~ The list is public information and must be available to the public upon request for a reasonable fee or posted on the department's website.

(2) The department shall inform a person, firm, or corporation whether a construction contractor or a home inspector is registered. The department shall provide the information without charge, except for a reasonable fee for any copies made."

**NEW SECTION. Section 12. Repealer.** The following sections of the Montana Code Annotated are repealed:

39-9-212. Home inspector registration -- penalty -- rulemaking.

39-9-213. Requirement -- prohibitions.

**NEW SECTION. Section 13. Codification instruction.** [Sections 1 through 4] are intended to be codified as an integral part of Title 37, and the provisions of Title 37 apply to [sections 1 through 4].

**COORDINATION SECTION. Section 14. Coordination instruction.** (1) If House Bill No. 239 is passed and approved and if it includes a section that amends 39-9-101, then [section 6 of this act], amending 39-9-101, is void and 39-9-101 must be repealed.

(2) If House Bill No. 239 is passed and approved and if it includes a section that amends 39-9-102, then [section 7 of this act], amending 39-9-102, is void and 39-9-102 must be repealed.

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(3) If House Bill No. 239 is passed and approved and if it includes a section that amends 39-9-206, then [section 8 of this act], amending 39-9-206, is void and 39-9-206 must be repealed.

(4) If House Bill No. 239 is passed and approved and if it includes a section that amends 39-9-207, then [section 9 of this act], amending 39-9-207, is void and 39-9-207 must be repealed.

(5) If House Bill No. 239 is passed and approved and if it includes a section that amends 39-9-301, then [section 10 of this act], amending 39-9-301, is void and 39-9-301 must be repealed.

(6) If House Bill No. 239 is passed and approved and if it includes a section that amends 39-9-303, then [section 11 of this act], amending 39-9-303, is void and 39-9-303 must be repealed.

(7) If both House Bill No. 239 and [this act] are passed and approved, then 39-9-103 and 39-9-401 must be repealed.

NEW SECTION. **Section 15. Effective date.** [This act] is effective January 1, 2026.

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