

HOUSE BILL NO. 349

INTRODUCED BY P. WEBB

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE ESTABLISHMENT OF THE TENANT AND LANDLORD RELATIONSHIP WITH RESPECT TO RESIDENTIAL AND MOBILE HOME LOT RENTALS; REVISING THE EFFECTS OF FAILING TO SIGN A RENTAL AGREEMENT; AMENDING SECTIONS 70-24-204 AND 70-33-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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Section 1. Section 70-24-204, MCA, is amended to read:

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12 **"70-24-204. Effect of unsigned or undelivered rental agreement.** (1) If the landlord does not sign and
13 deliver a written rental agreement that has already been signed by the tenant and delivered to the landlord ~~by the~~
14 ~~tenant~~, acceptance of rent ~~without reservation~~ WITHOUT RESERVATION by the landlord gives the rental agreement
15 the same effect as if it had been signed and delivered by the landlord to the tenant.

16 (2) If the tenant does not sign and deliver to the landlord a written rental agreement that has already
17 been signed by the landlord and delivered to the tenant ~~by the landlord~~, acceptance of possession of the
18 premises and payment of rent ~~without reservation~~ WITHOUT RESERVATION by the tenant gives the rental agreement
19 the same effect as if it had been signed and delivered by the tenant to the landlord.

20 (3) If a rental agreement given effect by the operation of this section provides for a term longer than 1
21 year, it is effective for only 1 year."

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Section 2. Section 70-33-203, MCA, is amended to read:

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24 **"70-33-203. Effect of unsigned or undelivered rental agreement.** (1) If the landlord does not sign and
25 deliver a written rental agreement that has already been signed by the tenant and delivered to the landlord ~~by the~~
26 ~~tenant~~, acceptance of rent ~~without reservation~~ WITHOUT RESERVATION by the landlord gives the rental agreement
27 the same effect as if it had been signed and delivered by the landlord to the tenant.

28 (2) If the tenant does not sign and deliver to the landlord a written rental agreement that has already
29 been signed by the landlord and delivered to the tenant ~~by the landlord~~, acceptance of possession of the
30 premises and payment of rent ~~without reservation~~ WITHOUT RESERVATION by the tenant gives the rental agreement



1 the same effect as if it had been signed and delivered by the tenant to the landlord.

2 (3) If a rental agreement given effect by the operation of this section provides for a term longer than 1
3 year, it is effective for only 1 year."

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5 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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7 NEW SECTION. **Section 4. Applicability.** [This act] applies to rental agreements entered into,
8 extended, or renewed on or after [the effective date of this act].

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