

CONDOS & TOWNHOUSES

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the introduced bill. The other information is available by selecting the Additional Bill Links hyperlink at the top of the bill and then the link “Status of this Bill.”

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: A condominium is the ownership of single units with common elements located on property submitted to the provisions of Unit Ownership Act located in Title 70, chapter 23, part 1. A townhome or townhouse is property that is owned subject to an arrangement under which persons own their own units and hold separate title to the land beneath their units, but under which they may jointly own the common areas and facilities.

Legislative Services Division Materials: N/A

Other Materials: N/A

Introduced Legislation

2017

[HB 200](#) -- Chapter Number Assigned -- AN ACT REVISING LAWS REGARDING SHARED EQUITY PROPERTIES; PROVIDING THAT A COMMUNITY LAND TRUST OR A HOUSING UNIT ON LAND BELONGING TO A COMMUNITY LAND TRUST ARE NOT CONDOMINIUMS WITHIN THE MEANING OF THE UNIT OWNERSHIP ACT; DEFINING "COMMUNITY LAND TRUST"; AMENDING SECTION 70-23-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[HB 300](#) -- Chapter Number Assigned -- AN ACT REVISING EXEMPTIONS FROM SUBDIVISION SANITATION REQUIREMENTS; EXEMPTING CERTAIN TOWNHOUSES FROM CERTAIN SANITATION REGULATIONS; AND AMENDING SECTION 76-4-111, MCA

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[HB 306](#) -- (S) Died in Process -- AN ACT GENERALLY REVISING CONDOMINIUM AND TOWNHOUSE LAWS; PROVIDING REQUIREMENTS FOR CONVERSION OF A CONDOMINIUM TO A TOWNHOUSE UNDER THE UNIT OWNERSHIP ACT; REQUIRING NOTICE OF THE CONVERSION BE GIVEN TO CERTAIN PARTIES; PROVIDING FOR THE EFFECTS OF A CONVERSION FROM A CONDOMINIUM TO A TOWNHOUSE; EXEMPTING CERTAIN CONVERSIONS OF A CONDOMINIUM TO A TOWNHOUSE FROM STATE SUBDIVISION REVIEW; PROVIDING DEFINITIONS; AMENDING SECTIONS 70-23-102 AND 76-4-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

2015

[SB 24](#) -- (S) Missed Deadline for General Bill Transmittal -- AN ACT GENERALLY REVISING CONDOMINIUM, TOWNHOME, AND TOWNHOUSE LAWS; PROHIBITING THE DEPARTMENT OF REVENUE FROM REQUIRING A PERCENTAGE OF CONDOMINIUM OWNERS IN EXCESS OF THE AMOUNT REQUIRED BY THE CONDOMINIUM'S DECLARATION FOR THE CONVERSION OF CONDOMINIUMS TO TOWNHOMES OR TOWNHOUSES; REQUIRING A DECLARATION TO STATE THE APPORTIONED SIZE OF THE TOTAL ORIGINAL PARCEL; REQUIRING A DECLARATION TO STATE THE PERCENTAGE OF OWNERS ALLOWED TO AMEND THE DECLARATION IF LESS THAN 100%; AMENDING SECTIONS 15-8-111 AND 70-23-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE

[SB 25](#) -- (S) Missed Deadline for General Bill Transmittal -- AN ACT GENERALLY REVISING CONDOMINIUM AND TOWNHOME LAWS; PROVIDING REQUIREMENTS FOR CONVERSION OF A CONDOMINIUM TO A TOWNHOME OR TOWNHOUSE; REQUIRING THAT NOTICE OF THE CONVERSION AND AN OPPORTUNITY TO OBJECT TO THE CONVERSION BE GIVEN TO MORTGAGE HOLDERS OF CONDOMINIUM UNITS TO BE CONVERTED TO TOWNHOMES OR TOWNHOUSES; PROVIDING THAT AN AMENDED DECLARATION MUST BE ACCEPTED FOR RECORDING IF IT MEETS CERTAIN REQUIREMENTS; PROVIDING THAT THE CONVERSION OF A CONDOMINIUM TO A TOWNHOME OR TOWNHOUSE IS EFFECTIVE UPON THE RECORDING OF THE AMENDED DECLARATION; CLARIFYING THE DEFINITION OF "TOWNHOME" OR "TOWNHOUSE"; REQUIRING A CONDOMINIUM DECLARATION TO STATE THE PERCENTAGE OF OWNERS ALLOWED TO AMEND THE DECLARATION IF LESS THAN 100%; AMENDING SECTIONS 70-23-102 AND 70-23-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE

2013

[HB 426](#) -- (H) Died in Standing Committee -- AN ACT GENERALLY REVISING CONDOMINIUM AND TOWNHOUSE OWNERSHIP LAWS; PROHIBITING THE DEPARTMENT OF REVENUE FROM REQUIRING INFORMATION THAT IS IN EXCESS OF INFORMATION CONTAINED IN DOCUMENTS THAT ARE REQUIRED TO BE RECORDED PRIOR TO CONVERSION OF A CONDOMINIUM TO A TOWNHOUSE; PROVIDING THAT A DECLARATION PERTAINING TO THE CONVERSION OF CONDOMINIUMS TO TOWNHOUSES MUST BE SIGNED BY OWNERS OF AT LEAST 75% OF THE UNITS; REQUIRING THAT A NOTICE OF THE CONVERSION BE GIVEN TO MORTGAGE HOLDERS ON THE UNITS TO BE CONVERTED TO TOWNHOUSES; PROVIDING THAT CHANGES RESULTING FROM THE CONVERSION MAY NOT BE CONSIDERED AS CONSTITUTING A DEFAULT IN THE LENDING AGREEMENTS BETWEEN THE LENDERS AND THE UNIT OWNERS; REQUIRING TITLE COMPANIES TO ACCEPT AND INSURE ALL CHANGES CONTAINED IN A DECLARATION PERTAINING TO A CONVERSION FROM A

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CONDOMINIUM TO A TOWNHOUSE WHEN THE LEGAL DESCRIPTION IS NOT MODIFIED; AND AMENDING SECTIONS 15-8-111, 70-23-301, AND 70-23-902, MCA

[HB 531](#) -- (H) Died in Process -- AN ACT REVISING LAWS GOVERNING EXEMPTIONS FOR SUBDIVISIONS FOR RENT OR LEASE AND FOR TOWNHOUSES; ALLOWING A GOVERNING BODY TO EXEMPT SUBDIVISIONS CREATED BY RENT OR LEASE FROM LOCAL SUBDIVISION REVIEW IF ZONING HAS BEEN ADOPTED; REMOVING THE ALLOWED EXEMPTION FOR TOWNHOUSES; AND AMENDING SECTIONS 70-23-301, 76-3-203, AND 76-3-208, MCA.

2011

[HB 460](#) -- Chapter Number Assigned -- AN ACT REQUIRING THE DEPARTMENT OF REVENUE TO ESTABLISH BY RULE A METHOD FOR VALUING TOWNHOUSES; DEFINING "TOWNHOUSE" AND "TOWNHOME"; PROVIDING THAT THE UNIT OWNERSHIP ACT MAY APPLY TO TOWNHOUSES; CONFORMING PROVISIONS OF THE UNIT OWNERSHIP ACT WITH THE DEFINITIONS OF "TOWNHOUSE" AND "TOWNHOME"; AMENDING SECTIONS 15-8-111, 70-23-102, 70-23-103, 70-23-301, AND 76-3-203, MCA; PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

2009

N/A