

HOUSE BILL NO. 181

INTRODUCED BY LARSON, TOOLE, BARNETT,
GOULD, DAVIS, G. BECK

IN THE HOUSE

JANUARY 14, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & ECONOMIC DEVELOPMENT.

JANUARY 15, 1991 FIRST READING.

JANUARY 18, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 19, 1991 PRINTING REPORT.

JANUARY 23, 1991 SECOND READING, DO PASS.

JANUARY 24, 1991 ENGROSSING REPORT.

JANUARY 25, 1991 THIRD READING, PASSED.
AYES, 62; NOES, 35.

TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 25, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & INDUSTRY.

JANUARY 26, 1991 FIRST READING.

FEBRUARY 4, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

FEBRUARY 5, 1991 SECOND READING, CONCURRED IN.

FEBRUARY 6, 1991 THIRD READING, CONCURRED IN.
AYES, 38; NOES, 9.

RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 7, 1991 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 181
 2 INTRODUCED BY Lucas Tol. Barnett
 3 Davis J. Beck

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE SELLER
 5 OF A DWELLING TO GIVE THE BUYER WRITTEN NOTIFICATION OF
 6 WHETHER OR NOT THE DWELLING IS EQUIPPED WITH SMOKE DETECTION
 7 DEVICES."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Definitions -- notice of
 11 presence of smoke detectors upon sale of dwelling. (1) In
 12 this section, the following definitions apply:

13 (a) "Dwelling" means a building or portion of a
 14 building, including a mobile home or housetrailer, that
 15 contains not more than two dwelling units.

16 (b) "Dwelling unit" means a building or portion of a
 17 building that contains living facilities with provision for
 18 sleeping, eating, cooking, and sanitation for not more than
 19 one family.

20 (c) "Smoke detector" means a device that detects
 21 visible or invisible particles or combustion.

22 (2) Upon the sale or transfer of ownership of a
 23 dwelling not otherwise required to have a smoke detector,
 24 the seller shall provide a written notice to the buyer, at
 25 the time of the sale to the buyer, that the dwelling is

1 equipped or is not equipped with smoke detectors or other
 2 fire detection devices.

3 (3) Neither the seller nor his agent is liable in a
 4 civil action for failure to comply with, or negligence in
 5 complying with, the requirements of this section. Evidence
 6 of failure to comply with, or negligence in complying with,
 7 this section is not admissible in a civil action.

8 NEW SECTION. Section 2. Codification instruction.
 9 [Section 1] is intended to be codified as an integral part
 10 of Title 50, chapter 39, and the provisions of Title 50,
 11 chapter 39, apply to [section 1].

-End-

APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 181

INTRODUCED BY LARSON, TOOLE, BARNETT, GOULD, DAVIS, G. BECK

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE SELLER OF A DWELLING TO GIVE THE BUYER WRITTEN NOTIFICATION OF WHETHER OR NOT THE DWELLING IS EQUIPPED WITH SMOKE DETECTION DEVICES."

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

NEW SECTION. Section 1. Definitions -- notice of presence of smoke detectors upon sale of dwelling. (1) In this section, the following definitions apply:

(a) "Dwelling" means a building or portion of a building, including a mobile home or housetrailer, that contains not more than two dwelling units.

(b) "Dwelling unit" means a building or portion of a building that contains living facilities with provision for sleeping, eating, cooking, and sanitation for not more than one family.

(c) "Smoke detector" means a device that detects visible or invisible particles or combustion.

(2) Upon the sale or transfer of ownership of a dwelling not otherwise required to have a smoke detector, the seller shall provide a written notice to the buyer, IN A

BUY-SELL AGREEMENT OR at the time of the sale to the buyer, that the dwelling is equipped or is not equipped with smoke detectors or other fire detection devices.

(3) Neither the seller nor his agent is liable in a civil action for failure to comply with, or negligence in complying with, the requirements of this section. Evidence of failure to comply with, or negligence in complying with, this section is not admissible in a civil action.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 50 30, chapter 39 11, PART 2, and the provisions of Title 50 30, chapter 39 11, PART 2, apply to [section 1].

-End-

SECOND READING



1 HOUSE BILL NO. 181
 2 INTRODUCED BY LARSON, TOOLE, BARNETT,
 3 GOULD, DAVIS, G. BECK
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE SELLER
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 15 building, including a mobile home or housetrailer, that
 16 contains not more than two dwelling units.

17 (b) "Dwelling unit" means a building or portion of a
 18 building that contains living facilities with provision for
 19 sleeping, eating, cooking, and sanitation for not more than
 20 one family.

21 (c) "Smoke detector" means a device that detects
 22 visible or invisible particles or combustion.

23 (2) Upon the sale or transfer of ownership of a
 24 dwelling not otherwise required to have a smoke detector,
 25 the seller shall provide a written notice to the buyer; IN A

1 BUY-SELL AGREEMENT OR at the time of the sale to the buyer,
 2 that the dwelling is equipped or is not equipped with smoke
 3 detectors or other fire detection devices.

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 5 civil action for failure to comply with, or negligence in
 6 complying with, the requirements of this section. Evidence
 7 of failure to comply with, or negligence in complying with,
 8 this section is not admissible in a civil action.

9 NEW SECTION. Section 2. Codification instruction.
 10 [Section 1] is intended to be codified as an integral part
 11 of Title 50 30, chapter 39 11, PART 2, and the provisions of
 12 Title 50 30, chapter 39 11, PART 2, apply to [section 1].

-End-

THIRD READING

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 12 Title 50 30, chapter 39 11, PART 2, apply to [section 1].

-End-

REFERENCE BILL

