

CHAPTER NO. 338.

HOUSE BILL NO. 270

INTRODUCED BY KEMMIS

IN THE HOUSE

January 19, 1979	Introduced and referred to Committee on Judiciary.
January 25, 1979	Committee recommend bill do pass as amended. Report adopted.
January 26, 1979	Printed and placed on members' desks.
January 27, 1979	Second reading, do pass.
January 29, 1979	Considered correctly engrossed.
January 30, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

January 31, 1979	Introduced and referred to Committee on Judiciary.
March 9, 1979	Committee recommend bill be concurred in. Report adopted.
March 12, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in.

IN THE HOUSE

March 16, 1979	Returned from second house. Concurred in. Sent to enrolling.
	Reported correctly enrolled.

House BILL NO. 270

2 INTRODUCED BY Kenniss

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
5 70-1-408, MCA, TO CLARIFY THE STATEMENT OF THE RULE AGAINST  
6 PERPETUITIES."

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

9           Section 1. Section 70-1-408, MCA, is amended to read:  
10           "70-1-408. When interest must vest -- rule against  
11           perpetuities. (1) No interest in real or personal property  
12           shall may be good unless it must vest if at all, not later  
13           than 21 years after some life in being at the creation of  
14           the interest and any period of gestation involved in the  
15           situation to which the limitation applies. The lives  
16           selected to govern the time of vesting must not be so  
17           numerous or so situated that evidence of their deaths is  
18           likely to be unreasonably difficult to obtain.

19                   (2) It is intended by the enactment of this statute to  
20 make effective in this state the American common-law rule  
21 against perpetuities."

- End -

H B 270

INTRODUCED BILL

Approved by Committee  
on Judiciary

1                   HOUSE BILL NO. 270

2                   INTRODUCED BY KEMMIS

3

4   A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
5   70-1-408, MCA, TO CLARIFY THE STATEMENT OF THE RULE AGAINST  
6   PERPETUITIES."

7

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

9       Section 1. Section 70-1-408, MCA, is amended to read:  
10      "70-1-408. When interest must vest -- rule against  
11      perpetuities. (1) No interest in real or personal property  
12      shall ~~may~~ be ~~IS~~ good unless it must vest, if at all, not  
13      later than 21 years after some life in being at the creation  
14      of the interest and any period of gestation involved in the  
15      situation to which the limitation applies. The lives  
16      selected to govern the time of vesting must not be so  
17      numerous or so situated that evidence of their deaths is  
18      likely to be unreasonably difficult to obtain.

19       (2) It is intended by the enactment of this statute to  
20      make effective in this state the American common-law rule  
21      against perpetuities."

-End-

SECOND READING

HOUSE BILL NO. 270

INTRODUCED BY KEMMIS

8      **SE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:**

9                   Section 1. Section 70-1-408, MCA, is amended to read:  
10                 "70-1-408. When interest must vest -- rule against  
11                 perpetuities. (1) No interest in real or personal property  
12                 shall    be    good unless it must vest,    if at all, not  
13                 later than 21 years after some life in being at the creation  
14                 of the interest and any period of gestation involved in the  
15                 situation to which the limitation applies. The lives  
16                 selected to govern the time of vesting must not be so  
17                 numerous or so situated that evidence of their deaths is  
18                 likely to be unreasonably difficult to obtain.

-End-

THIRD READING

HOUSE BILL NO. 270

INTRODUCED BY KEMMIS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
5 70-1-408, MCA, TO CLARIFY THE STATEMENT OF THE RULE AGAINST  
6 PERPETUITIES."

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

9           Section 1. Section 70-1-408, MCA, is amended to read:

10           "70-1-408. When interest must vest -- rule against

11           perpetuities. (1) No interest in real or personal property

12           shall may be 15 good unless it must vest, if at all, not

13           later than 21 years after some life in being at the creation

14           of the interest and any period of gestation involved in the

15           situation to which the limitation applies. The lives

16           selected to govern the time of vesting must not be so

17           numerous or so situated that evidence of their deaths is

18           likely to be unreasonably difficult to obtain.

-End-

HB 220  
REFERENCE BILL