

HOUSE BILL 764

IN THE HOUSE

February 12, 1979	Introduced and referred to Committee on Business and Industry.
February 17, 1979	Committee recommend bill, as amended, do not pass.
February 20, 1979	Report adopted.

1 House BILL NO. 764  
 2 INTRODUCED BY Breda Manning  
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT THE MEANING OF  
 5 'IMPROVEMENT UPON REAL PROPERTY' FOR PURPOSES OF INSURANCE  
 6 INDEMNITY PAYABLE TO EXCLUDE A MOBILE HOME, TRAILER HOME, OR  
 7 MODULAR HOME UNLESS CERTAIN CONDITIONS ARE MET; AMENDING  
 8 SECTION 33-24-102, MCA."  
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 33-24-102, MCA, is amended to read:

12 "33-24-102. Insuring improvements -- insurance equal  
 13 to true value. ~~(1) In this section, "improvement upon real  
 14 property" does not include a mobile home, trailer home, or  
 15 modular home unless the mobile home, trailer home, or  
 16 modular home is:~~

- 17 ~~(a) taxed as real property;~~
- 18 ~~(b) permanently mounted on a foundation with axles and~~  
 19 ~~wheels removed; and~~
- 20 ~~(c) connected to utilities including but not limited~~  
 21 ~~to sewer, water, electricity, or gas or other fuel.~~

22 (2) Whenever any policy of insurance shall be written  
 23 to insure any improvements upon real property in this state  
 24 against loss by fire, tornado, or lightning and the property  
 25 insured shall be wholly destroyed, without criminal fault on

1 the part of the insured or his assigns, the amount of  
 2 insurance written in such policy shall be taken conclusively  
 3 to be the true value of the property insured and the true  
 4 amount of loss and measure of damages. The payment of money  
 5 as a premium for insurance shall be prima facie evidence  
 6 that the party paying such insurance premium is the owner of  
 7 the property insured; provided, that any insurance company  
 8 may set up fraud in obtaining the policy as a defense to a  
 9 suit thereon."

-End-

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