

CHAPTER NO. 524

HOUSE BILL NO. 833

INTRODUCED BY McBRIDE

IN THE HOUSE

February 16, 1979	Introduced and referred to Committee on Judiciary.
February 20, 1979	Committee recommend bill do pass. Report adopted.
February 21, 1979	Second reading, do pass.
February 22, 1979	Considered correctly engrossed.
February 23, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on Judiciary.
March 6, 1979	Rereferred to Committee on Rules.
March 7, 1979	Rereferred to Committee on Judiciary.
March 19, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 21, 1979	Second reading, concurred in.
March 23, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 24, 1979	Returned from second house. Concurred in as amended.
March 26, 1979	On motion, consideration passed until the 71st Legislative Day.

March 30, 1979

Second reading, amendments
adopted.

March 31, 1979

Third reading, amendments
adopted. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 833
2 INTRODUCED BY M. McBride

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
5 CREATION AND CONVEYANCING OF SOLAR EASEMENTS."

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Solar easement -- creation. An easement
9 obtained for the purpose of exposure of a solar energy
10 device must be created in writing and is subject to the same
11 conveyancing and instrument recording requirements as other
12 easements on real property.

13 Section 2. Solar easement -- contents. An instrument
14 creating a solar easement must specify at least:

15 (1) the vertical and horizontal angles, expressed in
16 degrees, at which the solar easement extends over the real
17 property subject to the solar easement;

18 (2) any terms or conditions under which the solar
19 easement is granted or will be terminated; and

20 (3) any provisions for compensation of the owner of
21 the property benefiting from the solar easement in the event
22 of interference with the enjoyment of the solar easement or
23 compensation of the owner of the property subject to the
24 solar easement for maintaining the solar easement.

-End-

HB 833
INTRODUCED BILL

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House BILL NO. *833*
INTRODUCED BY *McBride*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
CREATION AND CONVEYANCING OF SOLAR EASEMENTS."

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

Section 1. Solar easement -- creation. An easement
obtained for the purpose of exposure of a solar energy
device must be created in writing and is subject to the same
conveyancing and instrument recording requirements as other
easements on real property.

Section 2. Solar easement -- contents. An instrument
creating a solar easement must specify at least:

- (1) the vertical and horizontal angles, expressed in
degrees, at which the solar easement extends over the real
property subject to the solar easement;
- (2) any terms or conditions under which the solar
easement is granted or will be terminated; and
- (3) any provisions for compensation of the owner of
the property benefiting from the solar easement in the event
of interference with the enjoyment of the solar easement or
compensation of the owner of the property subject to the
solar easement for maintaining the solar easement.

-End-

HB 833
THIRD READING

HOUSE BILL NO. 833
INTRODUCED BY McBRIDE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
CREATION AND CONVEYANCING OF SOLAR EASEMENTS."

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

Section 1. Solar easement -- creation. An easement
obtained for the purpose of exposure of a solar energy
device must be created in writing and is subject to the same
conveyancing and instrument recording requirements as other
easements on real property.

Section 2. Solar easement -- contents. An instrument
creating a solar easement must specify at least:

(1) the vertical and horizontal angles, expressed in
degrees, at which the solar easement extends over the real
property subject to the solar easement; AND

(2) any terms or conditions under which the solar
easement is granted or will be terminated; and

~~(3) any provisions for compensation of the owner of
the property benefiting from the solar easement in the event
of interference with the enjoyment of the solar easement or
compensation of the owner of the property subject to the
solar easement for maintaining the solar easement.~~

-End-

HB 833
REFERENCE BILL

March 19, 1979

SENATE STANDING COMMITTEE REPORT
(Judiciary)

That House Bill No. 833, third reading bill, be amended as follows:

1. Page 1, line 17.

Following: ";"

Insert: "and"

2. Page 1, lines 19 through 24.

Following: "terminated" on line 19

Strike: remainder of line 19 through "the solar casement" on
line 24