

HOUSE BILL 839

IN THE HOUSE

February 16, 1979

Introduced and referred to
Committee on Judiciary.

February 19, 1979

Rereferred to Committee on
Taxation.

1 House BILL NO. 839
 2 INTRODUCED BY Nessam Ellis

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A
 5 COTENANT WHO PAYS MORE THAN HIS SHARE OF THE PROPERTY TAX ON
 6 JOINTLY HELD PROPERTY IS ENTITLED TO CONTRIBUTION FROM THE
 7 OTHER COTENANTS AND PROVIDING THAT THE INTEREST IN THE
 8 JOINTLY HELD PROPERTY OF A COTENANT WHO, AFTER NOTICE, FAILS
 9 TO CONTRIBUTE FOR 3 YEARS LAPSES AND VESTS IN THE COTENANT
 10 WHO PAID THE TAX."

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

13 Section 1. Contribution of cotenants for taxes. A
 14 joint tenant or tenant in common who pays more than a
 15 proportionate share of the property tax on the jointly held
 16 property is entitled to contribution from the other
 17 cotenants for their proportionate share of the tax.

18 Section 2. Notice of payment of tax by cotenant. (1) A
 19 joint tenant or tenant in common may, within 30 days after
 20 he pays more than his proportionate share of the property
 21 tax on jointly held property, notify the other cotenants in
 22 writing of their proportionate share of the tax.

23 (2) Notice under subsection (1) may be given by
 24 certified mail.

25 Section 3. Lapse of joint interest -- action to quiet

1 title. (1) If a cotenant receives notice under [section 2]
 2 for 3 consecutive years and fails to pay his proportionate
 3 share of the property taxes within 3 years after receiving
 4 the first notice, his interest in the jointly held property
 5 lapses and vests in the cotenant who paid the tax for the
 6 3-year period.

7 (2) An action to quiet title to an interest in jointly
 8 held property that has lapsed for failure to contribute may
 9 be brought under the provisions of Title 70, chapter 28.

-End-

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 INTRODUCED BILL