	1 2	INTRODUCED	12 K 1 /	Boharskuse	BILL NO. 357	ainelo		Take
î U	3 4	Conchas	Et /	Bankhas : "AN ACT CLARIF"	Wilters VING A LANDLORD	4	Frys22 OF A CLAIME	Bergman D BREACH
	5	OF A RENTAL	AGREEMENT RY	Y A TENANT: AND	AMENDING SECT	TION 70-24-4	23 MCA "	

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Section 1. Section 70-24-423, MCA, is amended to read:

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

"70-24-423. Waiver of landlord's right to terminate for breach. Acceptance by the landlord of full payment of rent due with knowledge of a tenant's default or acceptance by the landlord of a tenant's performance that varies from the terms of the rental agreement constitutes a waiver of the landlord's right to terminate the rental agreement for that breach unless otherwise agreed after the breach has occurred is a waiver of a claimed breach of a rental agreement only when the claimed breach is the nonpayment of rent. Acceptance of full payment of rent due when a claimed breach is something other than the nonpayment of rent does not constitute a waiver of any right. The acceptance of partial payment of rent due does not constitute a waiver of any right."

18 -END-

Legislative Services Division HB357
INTRODUCED BILL

	1	MINTRODUCED BY Wells Brainers Land
1/	3 M 4	ABILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING A LANDLORD'S WAIVER OF A CLAIMED BREACH
	5 [']	OF A RENTAL AGREEMENT BY A TENANT; AND AMENDING SECTION 70-24-423, MCA."

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

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1 NI	RODUCED BY WA	Boharsk BILL N	0.357 Dearnes	med for	The state of
1 3 E	WENT THE !	Bankhar W : "AN ACT CLARIFYING A	iltirs Jone		gman
5 OF	A RENTAL AGREEMENT B				СН

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1	MITHODUCED BY WOLF WASE BILL NO. 357 Many
axy	ABILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING A LANDLORD'S WAIVER OF A CLAIMED BREACH
5	OF A RENTAL AGREEMENT BY A TENANT; AND AMENDING SECTION 70-24-423, MCA."
6	
7	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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9	Section 1. Section 70-24-423, MCA, is amended to read:
. 10	"70-24-423. Waiver of landlord's right to terminate for breach. Acceptance by the landlord of full
11	payment of rent due with knowledge of a tenant's default or acceptance by the landlord of a tenant's
12	performance that varios from the terms of the rental agreement constitutes a waiver of the landlard's right
13	to terminate the rental agreement for that breach unless otherwise agreed after the breach has eccurred
14	is a waiver of a claimed breach of a rental agreement only when the claimed breach is the nonpayment of
15	rent. Acceptance of full payment of rent due when a claimed breach is something other than the
16	nonpayment of rent does not constitute a waiver of any right. The acceptance of partial payment of rent
17	due does not constitute a waiver of any right."

-END-

1	HOUSE BILL NO. 357
2	INTRODUCED BY WELLS, BRAINARD, KITZENBERG, MCGEE, MOOD, ADAMS, TASH, SPRAGUE,
3	BITNEY, BANKHEAD, WALTERS, JORE, PROUSE, BERGMAN, EMERSON, BOHARSKI
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING A LANDLORD'S WAIVER OF A CLAIMED BREACH
6	OF A RENTAL AGREEMENT BY A TENANT; AND AMENDING SECTION 70-24-423, MCA."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	
10	Section 1. Section 70-24-423, MCA, is amended to read:
11	"70-24-423. Waiver of landlord's right to terminate for breach. Acceptance by the landlord of full
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16	rent. Acceptance of full payment of rent due when a claimed breach is something other than the
17	nonpayment of rent does not constitute a waiver of any right. The acceptance of partial payment of rent
18	due does not constitute a waiver of any right."
19	-END-

