
69th Legislature 2025 HB 422.1

1	HOUSE BILL NO. 422	
2	INTRODUCED BY J. KARLEN	
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COVENANT LAWS TO ALLOW COVENANTS THAT	
5	ENCOURAGE WORKFORCE HOUSING AFFORDABILITY AND ATTAINABILITY; ALLOWING COVENANTS	
6	THAT RESTRICT THE SALE, LEASE, OR OWNER'S SHARE OF EQUITY APPRECIATION TO INDIVIDUALS	
7	WITH SPECIFIC INCOMES AND OCCUPATIONS; AND AMENDING SECTION 70-17-203, MCA."	
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	
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11	Section 1. Sec	ction 70-17-203, MCA, is amended to read:
12	"70-17-203.	Covenants that run with land. (1) Except as provided in 70-1-522 and 70-17-212, every
13	covenant contained in	a grant of an estate in real property that is made for the direct benefit of the property or
14	some part of the property then in existence runs with the land.	
15	(2) Subse	ction (1) includes:
16	(a) covena	ants of warranty, for quiet enjoyment, or for further assurance on the part of the grantor
17	and covenants for the payment of rent or of taxes or assessments upon the land on the part of a grantee;	
18	(b) conser	vation easements pursuant to 76-6-209;
19	(c) a dedic	cation of open space as provided in 76-3-509; and
20	(d) wind e	asements pursuant to Title 70, chapter 17, part 4 <u>; and</u>
21	(e) covena	ants restricting the sale, lease, or the owner's share of appreciation in equity of
22	residential property to individuals with specific incomes or occupations, the purpose of which is to encourage	
23	the long-term affordability and attainability of workforce housing.	
24	(3) A cove	nant for the addition of some new thing to real property or for the direct benefit of some
25	part of the property not then in existence or annexed to the property, when contained in a grant of an estate in	
26	the property and made by the covenantor expressly for the covenantor's assigns or to the assigns of the	
27	covenantee, runs with the land so far as the assigns mentioned are concerned."	
28		- END -

