

Existing Montana Statutes and UCIOA Provisions

LOCAL GOVERNMENT INTERIM COMMITTEE
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INTRODUCTION

This document provides two reference tables. The first table includes existing Montana statutes that specifically address homeowners' associations (HOAs) and where a similar issue is addressed by the Uniform Common Interest Community Act (UCIOA) as laid out in House Bill 619 (2025). The second table includes existing Montana statutes that do not specifically address HOAs, but the UCIOA addresses a similar area in the context of HOAs. **NOTE:** The section numbers used to reference the UCIOA in this document are the sections numbers used in HB 619 (2025).

TABLE OF EXISTING MONTANA HOA STATUTES AND RELATED UCIOA PROVISIONS

MCA Section	UCIOA Section	Area Addressed
35-2-525 and 35-2-550	Sec. 54(1)(e) and (2)(g)	Provides electronic and remote meeting requirements for HOAs
70-1-522	Sec. 66(4)	Prohibits restrictions on political signs by HOAs
70-16-110	None	Provides requirements for entry on real property by agent of HOA
70-17-210	Sec. 48(6) and (7), Sec. 88	Governs covenant enforcement and abandonment by HOAs
70-17-901	Sec. 38(6)	Restricts enforcement of more restrictive amended covenants by HOAs
Title 70, ch. 23	General	Provides a framework to govern condominiums and townhomes. The UCIOA would supersede these statutes except for unit owners associations that opt out
76-3-308 and 76-25-411	None	Provides alternative process for transferring title of open spaces to HOA
35-2-525, 35-2-550, 70-16-110, 70-17-901, 76-3-103, 76-25-103	Sec. 2(4)	MCA statutes provide definitions for "homeowners' association"; UCIOA provides definition for "association" or "unit owners association"

TABLE OF OTHER EXISTING STATUTES THAT ARE COVERED IN THE UCIOA

MCA Section	UCIOA Section	Area Addressed
27-2-208	Sec. 87	Provides 6-year statute of limitation for suit against work related to real property improvements
28-2-2201 and 28-2-2202	Sec. 84	Provides parallel warranty requirements
Title 35, ch. 2	General	Title 35, ch. 2, provides the general framework for the creation and governance of nonprofit corporations. The UCIOA would displace any provisions of Title 35, ch. 2, that conflict with its provisions
76-3-303 and 76-25-411	Sec. 22, Sec. 81, Sec. 91	Provides parallel recording requirements before land transfers
70-19-426 through -428	Sec. 70	Provides similar dispute resolution processes before party can file suit for a construction defect