

HOUSE BILL NO. 305

INTRODUCED BY J. KARLEN, J. REAVIS, L. MUSZKIEWICZ, B. EDWARDS, M. LEE, B. CLOSE, S. FYANT, J. WEBER, A. GRIFFITH, M. CUNNINGHAM, S. ROSENZWEIG, E. MATTHEWS, B. CARTER, D. HAWK, C. KEOGH, G. NIKOLAKAKOS, E. STAFMAN, D. JOY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA RESIDENTIAL MOBILE HOME LOT RENTAL ACT; CREATING THE MONTANA MOBILE HOME PARK DISPUTE RESOLUTION PROGRAM; PROVIDING THAT THE PROGRAM IS ADMINISTERED BY THE DEPARTMENT OF COMMERCE; REQUIRING THE DEPARTMENT TO PRODUCE AND DISTRIBUTE EDUCATIONAL MATERIALS RELATED TO LANDLORD AND TENANT RIGHTS AND RESPONSIBILITIES; ALLOWING FOR COMPLAINTS TO BE FILED AGAINST LANDLORDS OR TENANTS; PROVIDING FOR REMEDIES AND PENALTIES; REQUIRING THE REGISTRATION OF MOBILE HOME PARKS AND THE COLLECTION OF FEES; CREATING A MOBILE HOME PARK DISPUTE RESOLUTION ACCOUNT; REQUIRING NOTICE BEFORE THE SALE OF A MOBILE HOME PARK; PROVIDING A STATUTORY APPROPRIATION; PROVIDING RULEMAKING AUTHORITY; ESTABLISHING REPORTING REQUIREMENTS; AND AMENDING SECTIONS 17-7-502 AND 70-33-103, MCA."

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

NEW SECTION. Section 1. Dispute resolution program -- purpose -- department duties -- reporting -- rulemaking. (1) There is a Montana mobile home park dispute resolution program administered by the department of commerce for the purpose of providing mobile home landlords and tenants with a process to resolve disputes regarding alleged violation of this chapter.

(2) The department shall:

(a) produce educational materials regarding certain provisions of this chapter, including but not limited to a notice in a format that a landlord can reasonably post in a mobile home park community and that includes:

(i) tenant rights and responsibilities as provided in this chapter;

- 1 (ii) landlord rights and responsibilities as provided in this chapter;
- 2 (iii) information on how to file a complaint with the department pursuant to [sections 1 through 4];
- 3 and
- 4 (iv) a telephone number and website address that landlords and tenants can use to seek additional
- 5 information and communicate complaints;
- 6 (b) distribute the educational materials required in subsection (2)(a):
- 7 (i) to all known landlords and alert the landlords that the notice provided by the department
- 8 pursuant to subsection (2)(a) must be posted in a clearly visible location in a common area of the mobile home
- 9 park; and
- 10 (ii) to any complainants or respondents upon request;
- 11 (c) receive complaints and perform dispute resolution activities, including investigations,
- 12 negotiations, determinations of violations, and imposition of fines or other penalties as described in [section 3];
- 13 and
- 14 (d) report to the economic affairs interim committee biennially, in accordance with 5-11-210, on the
- 15 data collected under [sections 1 through 4], including program performance measures and recommendations
- 16 for improving the program.
- 17 (3) The department may:
- 18 (a) visually confirm that the notice required in subsection (2)(b) to be posted by landlords is posted
- 19 appropriately; and
- 20 (b) issue a fine or other penalty if the department discovers that the landlord has not posted the
- 21 notice appropriately or has not maintained the posted notice so that it is clearly visible to tenants.
- 22 (4) The department may adopt rules necessary to implement and enforce the provisions of
- 23 [sections 1 through 4].
- 24 (5) The program must be funded by the fines, fees, and other penalties deposited in the mobile
- 25 home park dispute resolution program account established in [section 4] and by any other resources directed to
- 26 the program.

27

28

NEW SECTION. Section 2. Dispute resolution program -- complaint process. (1) An aggrieved

1 party may file a complaint with the department alleging a violation of this chapter.

2 (2) After receiving a complaint under [sections 1 through 4], the department shall investigate the
3 alleged violations and, if appropriate, facilitate negotiations between the complainant and the respondent.

4 (3) (a) Complainants and respondents shall cooperate with the department in the course of an
5 investigation by responding to requests for information issued by the department. The requests may seek
6 access to papers or other documents and provide site access to the mobile home parks relevant to the
7 investigation. Complainants and respondents shall respond to the department within 21 calendar days after
8 receiving a request.

9 (b) Failure to cooperate with the department in the course of an investigation is a violation of
10 [sections 1 through 4].

11 (4) (a) If, after an investigation, the department determines that the parties are unable to come to
12 an agreement, the department shall make a written determination on whether a violation of [sections 1 through
13 4] has occurred.

14 (b) If the department finds by a written determination that a violation of [sections 1 through 4] has
15 occurred, the department shall deliver a written notice of the violation by certified mail to both the complainant
16 and the respondent. The notice of violation must specify:

17 (i) the basis for the department's determination;

18 (ii) the violation;

19 (iii) the action required to cure the violation;

20 (iv) the time within which that action must be taken;

21 (v) the penalties imposed if that action is not taken within the specified time period; and

22 (vi) the process for contesting the determination, required action, and penalties by means of an
23 administrative hearing pursuant to subsection (9).

24 (c) If the department finds by a written determination that a violation of [sections 1 through 4] has
25 not occurred, the department shall deliver a written notice of nonviolation to both the complainant and the
26 respondent by certified mail. The notice of nonviolation must include:

27 (i) the basis for the department's determination; and

28 (ii) the process for contesting the determination included in the notice of nonviolation by means of

1 an administrative hearing.

2 (5) (a) A respondent shall comply with the requirements of a notice of violation from the
3 department within 15 business days after receiving the notice of violation, unless the respondent has submitted
4 a timely request for an administrative hearing to contest the notice of violation as provided in subsection (9)(b).

5 (b) If a respondent, including a landlord or a tenant, fails to take corrective action within the
6 required time period and the department has not received a timely request for an administrative hearing, the
7 department may impose a fine of up to \$250 for each violation for each day that a violation remains
8 uncorrected.

9 (c) The department shall consider the severity and duration of the violation on other mobile home
10 park residents when determining the amount of penalty imposed under subsection (5)(b).

11 (d) If the respondent shows, upon timely application to the department, that a good faith effort to
12 comply with the requirements of the notice of violation has been made and that the respondent has not
13 complied because of mitigating factors beyond the respondent's control, the department may delay or dismiss
14 the imposition of a penalty.

15 (6) The department may issue an order requiring the respondent to cease and desist from an
16 unlawful practice and to take affirmative actions that, in the judgement of the department, will carry out the
17 purposes of [sections 1 through 4]. Affirmative actions may include but are not limited to:

18 (a) providing refunds of rent increases, improper fees, and charges collected in violation of
19 [sections 1 through 4];

20 (b) filing documents that correct a statutory or rule violation; and

21 (c) taking reasonable action to correct a statutory or rule violation.

22 (7) A landlord may not take any retaliatory actions against a tenant for expressing an intention to
23 file a complaint under [sections 1 through 4] or for filing a complaint under [sections 1 through 4]. If the
24 department determines that a landlord has retaliated against a tenant, the department may impose a fine of up
25 to \$5,000 on the landlord.

26 (8) Any penalty levied against a landlord under [sections 1 through 4] is a lien against the
27 landlord's mobile home park until the landlord pays the penalty.

28 (9) (a) A complainant or respondent may request an administrative hearing before an

1 administrative law judge to contest:

2 (i) a notice of violation issued under subsection (4)(b) or a notice of nonviolation issued under
3 subsection (4)(c);

4 (ii) a penalty imposed under subsection (5)(b), (7), or (8); or

5 (iii) an order to cease and desist or an order to take affirmative actions under subsection (6).

6 (b) To request an administrative hearing allowed in this section, the complainant or respondent
7 shall file the request within 15 business days after receipt of a notice of violation, a notice of violation penalty, a
8 cease and desist order, or an affirmative action order. If an administrative hearing is not requested within this
9 time period, the notice of violation or notice of nonviolation constitutes a final agency order of the department.

10 (c) If an administrative hearing is initiated, the respondent and complainant shall each bear the
11 cost of the individual's legal expenses.

12 (10) If the department imposes a penalty against a respondent landlord under [sections 1 through
13 4], the respondent may not seek any recovery or reimbursement of the penalty from a complainant or from any
14 other tenant.

15 (11) All money collected from the imposition of penalties allowed under this section other than any
16 portion of a penalty required to be paid to a complainant must be deposited in the mobile home park dispute
17 resolution program account established in [section 4].

18 (12) This section does not provide exclusive remedy and does not limit the rights of a landlord or
19 tenant to take legal action against another party as provided in [sections 1 through 4] or otherwise provided by
20 law. Exhaustion of the administrative remedy provided in this section is not required before a landlord or tenant
21 may bring a legal action.

22

23 NEW SECTION. **Section 3. Mobile home park registration -- process -- fees.** (1) The department
24 shall register all mobile home parks on an individual basis and renew the registration annually.

25 (2) The department shall send registration notifications and information packets to all known
26 landlords of unregistered mobile home parks. The registration information packets must include:

27 (a) registration forms that satisfy the requirements of subsection (7); and

28 (b) registration assessment information, including registration dates and late fees, and the

1 collections procedures, liens, and charging costs to tenants.

2 (3) The department shall annually send registration renewal notification and information packets to
3 all registered mobile home parks.

4 (4) A landlord shall file for registration or registration renewal by:

5 (a) submitting to the department, either through the department's website, by mail, or in person, a
6 registration or registration renewal form provided by the department; and

7 (b) paying a registration fee as described in subsection (8).

8 (5) A landlord shall notify the department within 30 days of a change in the ownership of the
9 landlord's mobile home park so that the department may update the mobile home park's registration
10 information.

11 (6) The department shall make available on the department's website electronic forms to register a
12 mobile home park that meet the requirements of this section.

13 (7) The registration forms provided by the department must require information needed to help the
14 department identify and locate a mobile home park and other information that may be useful to the state,
15 including at a minimum:

16 (a) the name and address of the landlord;

17 (b) the name and address of the mobile home park;

18 (c) the number of lots within the mobile home park;

19 (d) the number of mobile homes within the mobile home park; and

20 (e) the address of each mobile home within the mobile home park.

21 (8) (a) Each mobile home park landlord shall pay to the department an annual registration
22 assessment of \$24 for each mobile home within the mobile home park for which the landlord collects rent under
23 this chapter.

24 (b) Landlords may charge to tenants up to 50% of the assessment required in subsection (8)(a).

25 (c) The revenue collected from the assessment required in subsection (8)(a) must be deposited in
26 the mobile home park dispute resolution program account established in [section 4].

27 (d) The department may review the annual registration assessment once each biennium and
28 adjust it to reasonably relate to the cost of administering of [sections 1 through 4].

1 (9) (a) Existing mobile home parks shall file for initial registration before or within 6 months after
2 [the effective date of this act].

3 (b) A new mobile home park shall file for initial registration before or within 3 months after the
4 mobile home lots become available for rent.

5 (c) The landlord is subject to a delinquency fee of \$250 for late initial registrations. The
6 delinquency fee must be deposited in the mobile home park dispute resolution program account established in
7 [section 4].

8 (10) Registration is effective on the date determined by the department. The department shall:

9 (a) issue a registration number to each registered mobile home park; and

10 (b) provide an expiration date, assigned by the department, to each registered mobile home park.

11

12 **NEW SECTION. Section 4. Mobile home park dispute resolution program account -- statutory**

13 **appropriation.** (1) There is a mobile home park dispute resolution program account in the state special
14 revenue fund established in 17-2-102. All funds received pursuant to [sections 1 through 4] must be deposited
15 in the account.

16 (2) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for
17 the purposes of [sections 1 through 4].

18

19 **NEW SECTION. Section 5. Notification of intent to sell mobile home park.** (1) An owner of a

20 mobile home park shall give written notice of an opportunity to compete to purchase, indicating the owner's
21 interest in selling the mobile home park:

22 (a) before the owner markets the mobile home park for sale; or

23 (b) when an owner receives an offer to purchase that the owner intends to consider.

24 (2) The owner shall give notice by certified mail or personal delivery to:

25 (a) all tenants of the mobile home park; and

26 (b) the department.

27 (3) The notice required in subsection (1) must include:

28 (a) the date that the notice was mailed by certified mail or personally delivered to all required

1 recipients pursuant to subsection (2);

2 (b) a statement that the owner is considering selling the mobile home park or the community in
3 which the park is located;

4 (c) a statement that the tenants have an opportunity to compete to purchase the mobile home park
5 through a resident association representing a majority of the tenants or through another eligible organization;

6 (d) a statement that in order to compete to purchase the mobile home park, the tenants shall,
7 within 70 days after the date of receipt of the certified mailing or the personal delivery date identified in the
8 notice pursuant to subsection (3)(a), form a resident association or identify an eligible organization for the
9 purpose of purchasing the mobile home park and notify the owner in writing of:

10 (i) the tenants' interest in competing to purchase the mobile home park; and

11 (ii) the name and contact information of the representative or representatives of the resident
12 association with whom the owner may communicate about the purchase.

13 (4) A resident association or an eligible organization identified by the tenants has the right of first
14 refusal regarding the sale of the mobile home park.

15 (5) This section does not apply to the sale or transfer of the mobile home park to a family member,
16 an heir, or an estate. If a mobile home park is transferred to an estate, the provisions of this section apply to
17 any future sale of the mobile home park by the estate.

18

19 **Section 6.** Section 17-7-502, MCA, is amended to read:

20 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory

21 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without
22 the need for a biennial legislative appropriation or budget amendment.

23 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with
24 both of the following provisions:

25 (a) The law containing the statutory authority must be listed in subsection (3).

26 (b) The law or portion of the law making a statutory appropriation must specifically state that a
27 statutory appropriation is made as provided in this section.

28 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-

1 11-407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-
 2 807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-316; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121;
 3 15-1-142; 15-1-143; 15-1-218; 15-1-2302; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-
 4 117; 15-39-110; 15-65-121; 15-70-128; 15-70-131; 15-70-132; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-
 5 3-212; 17-3-222; 17-3-241; 17-6-101; 17-6-214; 17-7-133; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-410;
 6 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-3-
 7 369; 20-7-1709; 20-8-107; 20-9-250; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-
 8 116; 22-3-117; [22-3-1004]; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-
 9 204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-4-1506; 44-12-213; 44-13-102; 50-
 10 1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-5-530; 60-11-115; 61-3-321; 61-3-415; 67-1-
 11 309; 69-3-870; 69-4-527; section 4; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-
 12 13-151; 76-13-417; 76-17-103; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-
 13 1-113; 81-2-203; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603;
 14 87-5-909; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

15 (4) There is a statutory appropriation to pay the principal, interest, premiums, and any costs or fees
 16 associated with issuing, paying, securing, redeeming, or defeasing all bonds, notes, or other obligations, as due
 17 in the ordinary course or when earlier called for redemption or defeased, that have been authorized and issued
 18 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of
 19 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined
 20 by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have
 21 statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the
 22 inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement
 23 system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410
 24 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental
 25 benefit provided by 19-6-709; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on
 26 occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117
 27 terminates June 30, 2025; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates
 28 September 30, 2025; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027;

1 pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to secs.
2 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 1, Ch.
3 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 1, 2, 3, Ch. 139, L. 2021,
4 the inclusion of 53-9-113 terminates June 30, 2027; pursuant to sec. 8, Ch. 200, L. 2021, the inclusion of 10-4-
5 310 terminates July 1, 2031; pursuant to secs. 3, 4, Ch. 404, L. 2021, the inclusion of 30-10-1004 terminates
6 June 30, 2027; pursuant to sec. 5, Ch. 548, L. 2021, the inclusion of 50-1-115 terminates June 30, 2025;
7 pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is effective July 1, 2027; pursuant to
8 sec. 1, Ch. 20, L. 2023, sec. 2, Ch. 20, L. 2023, and sec. 3, Ch. 20, L. 2023, the inclusion of 81-1-112, 81-1-
9 113, and 81-7-106 terminates June 30, 2029; pursuant to sec. 9, Ch. 44, L. 2023, the inclusion of 15-1-142
10 terminates December 31, 2025; pursuant to sec. 10, Ch. 47, L. 2023, the inclusion of 15-1-2302 terminates
11 June 30, 2025; pursuant to sec. 2, Ch. 374, L. 2023, the inclusion of 10-3-802 terminates June 30, 2031;
12 pursuant to sec. 12, Ch. 558, L. 2023, the inclusion of 20-9-250 terminates December 31, 2029; pursuant to
13 sec. 4, Ch. 621, L. 2023, the inclusion of 22-1-327 terminates July 1, 2029; pursuant to sec. 24, Ch. 722, L.
14 2023, the inclusion of 17-7-133 terminates June 30, 2027; pursuant to sec. 10, Ch. 758, L. 2023, the inclusion
15 of 44-4-1506 terminates June 30, 2027; and pursuant to sec. 10, Ch. 764, L. 2023, the inclusion of 15-1-143
16 terminates December 31, 2025.)"

17

18 **Section 7.** Section 70-33-103, MCA, is amended to read:

19 **"70-33-103. Definitions.** Unless the context clearly requires otherwise, in this chapter, the following
20 definitions apply:

21 (1) "Abandon" means to give up possession of the premises unless the landlord does not accept
22 abandonment or surrender as provided in 70-33-426 or unless the rental agreement has been terminated as
23 provided by law.

24 (2) "Action" includes recoupment, counterclaim, setoff suit in equity, and any other proceeding in
25 which rights are determined, including an action for possession.

26 (3) "Actual and reasonable cost" means the actual amount of expenses and labor incurred or
27 expended and the reasonable amount of expenses and labor estimated to be incurred or expended.

28 (4) "Case of emergency" means an extraordinary occurrence beyond the tenant's control requiring

1 immediate action to protect the premises or the tenant. A case of emergency may include the interruption of
 2 essential services, including electricity, gas, running water, and sewer and septic system service, or life-
 3 threatening events in which the tenant or landlord has reasonable apprehension of immediate danger to the
 4 tenant or others.

5 (5) "Complainant" means a landlord or tenant, or an agent, employee, or representative authorized
 6 to act on the landlord's or tenant's behalf, who has filed a complaint alleging a violation of this chapter.

7 (5)(6) "Court" means the appropriate district court, small claims court, justice's court, or city court.

8 (7) "Department" means the department of commerce provided for in 2-15-1801.

9 (8) "Eligible organization" means a community land trust, resident nonprofit cooperative, local
 10 government, local housing authority, nonprofit community organization, regional or statewide nonprofit housing
 11 assistance organization, or federally recognized Indian tribe in the state.

12 (6)(9) "Good faith" means honesty in fact in the conduct of the transaction concerned.

13 (7)(10) "Landlord" means:

14 (a) the owner of:

15 (i) space or land, including a lot, that is rented to a tenant for a mobile home; or

16 (ii) a mobile home park;

17 (b) a person who has written authorization from the owner to act as the owner's agent or assignee
 18 for purposes related to the premises or the rental agreement;

19 (c) a manager of the premises who fails to disclose the managerial position; or

20 (d) a lessor who has written authorization from the owner of the premises to sublease the
 21 premises.

22 (8)(11) "Lot" means the space or land rented and not a mobile home itself.

23 (9)(12) "Mobile home" has the same meaning as provided in 15-1-101 and includes manufactured
 24 homes as defined in 15-1-101.

25 (10)(13) "Mobile home owner" means the owner of a mobile home entitled under a rental agreement to
 26 occupy a lot.

27 (11)(14) "Mobile home park" means a trailer court as defined in 50-52-101.

28 (12)(15) "Organization" includes a corporation, government, governmental subdivision or agency,

1 business trust, estate, trust, partnership, association, two or more persons having a joint or common interest,
2 and any other legal or commercial entity.

3 ~~(13)~~(16)"Person" includes an individual or organization.

4 ~~(14)~~(17)"Premises" means a lot and the grounds, areas, and facilities held out for the use of tenants
5 generally or promised for the use of a tenant.

6 ~~(15)~~(18)"Rent" means all payments to be made to a landlord, including rent, late fees, or other charges
7 as agreed on in the rental agreement, except money paid as a security deposit.

8 ~~(16)~~(19)"Rental agreement" means all agreements, written or oral, and valid rules adopted under 70-
9 33-311 embodying the terms and conditions concerning the use and occupancy of the premises.

10 (20) "Resident association" means a formal organization consisting of a majority of the tenants in a
11 mobile home park based on the number of home sites within the mobile home park and with being a tenant as
12 the only requirement for membership.

13 (21) "Respondent" means a landlord or tenant, or an agent, employee, or representative authorized
14 to act on the landlord or tenant's behalf, who is alleged to have committed a violation of this chapter.

15 ~~(17)~~(22)"Tenant" means:

16 (a) a person entitled under a rental agreement to occupy a lot to the exclusion of others; or

17 (b) a person who, with the written approval of the landlord and pursuant to the rental agreement,
18 has a sublease agreement with the person who is entitled to occupy the dwelling unit under the rental
19 agreement.

20 ~~(18)~~(23)"Unauthorized person or trespasser" means a person who:

21 (a) enters or remains after being asked to leave by the landlord and does not receive written
22 permission by the landlord to remain on the premises;

23 (b) is in violation of 45-6-201;

24 (c) is in violation of 45-6-203; or

25 (d) is in violation of 70-27-102."
26

27 NEW SECTION. Section 8. Codification instruction. (1) [Sections 1 through 4] are intended to be
28 codified as an integral part of Title 70, chapter 33, and the provisions of Title 70, chapter 33, apply to [sections

1 1 through 4].

2 (2) [Section 5] is intended to be codified as an integral part of Title 70, chapter 33, part 3, and the
3 provisions of Title 70, chapter 33, part 3, apply to [section 5].

4 - END -