

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

May 22, 2017

The Honorable Corey Stapleton
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Stapleton:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill 177 (SB 177), "AN ACT PROVIDING THAT SELF-GOVERNING LOCAL GOVERNMENTS ARE SUBJECT TO THE PROVISIONS OF CERTAIN LAWS GOVERNING LANDLORDS AND TENANTS; INCLUDING THE LANDLORD AND TENANT ACT AND LAWS GOVERNING RESIDENTIAL TENANTS' SECURITY DEPOSITS AND RENTAL AGREEMENTS AMONG THE PROVISIONS ON WHICH A SELF-GOVERNING LOCAL GOVERNMENT IS PROHIBITED FROM ACTING OTHER THAN AS PROVIDED; AND AMENDING SECTION 7-1-114, MCA."

SB 177 is one of more than a dozen bills that were introduced this session seeking to overhaul landlord-tenant law in Montana. If enacted, these bills would significantly alter the Residential Landlord and Tenant Act that has been in place since 1977. If there are problems with the state of landlord-tenant law in Montana, I would encourage the legislature to engage in a balanced, independent and thoughtful study of the issue rather than the haphazard approach of the slate of bills introduced this session. While I believe some bills introduced this session are appropriately balanced and reasonable, others are not.

SB 177 requires that local governments with self-governing powers be subject to the Residential Landlord and Tenant Act, the Residential Tenants' Security Deposits Act, and the Residential Mobile Home Lot Rental Act. The purpose of the bill, according to the sponsor, is to get assistance from the local police or sheriff for landlord-tenant problems.

I fundamentally disagree with the premise of SB 177 that landlord-tenant dispute should be settled using the police, rather than through the civil court system. Existing law designates the courts as the proper forum in which to settle landlord-tenant disputes. Attempting to turn civil matters into criminal enforcement matters is contrary to the spirit and written language of these statutes. No evidence was presented during the hearings on this bill that the court system does not fairly balance the interests of both landlord and tenant.

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Further, this bill raises substantial concerns with regard to unintended consequences. There is a difference between enabling local governments to enforce landlord-tenant laws, and generally subjecting local governments themselves to landlord-tenant laws. This bill does the latter, which will not assist with the former.

For these reasons, I veto SB 177.

Sincerely,



STEVE BULLOCK
Governor

cc: Legislative Services Division
Scott Sales, President of the Senate
Austin Knudsen, Speaker of the House