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SENATE BILL NO. 270
INTRODUCED BY K. TOOLE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A SELLER, PRIOR TO THE SALE OR TRANSFER OF PROPERTY LOCATED WITHIN THE BOUNDARIES OF AN INDIAN RESERVATION, TO PROVIDE WRITTEN NOTICE TO THE BUYER IN A BUY-SELL AGREEMENT OR AT THE TIME OF SALE THAT THE PROPERTY MAY BE SUBJECT TO THE JURISDICTION OF A TRIBAL GOVERNMENT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. Notice of tribal jurisdiction required upon sale or transfer of property located within reservation boundaries. Prior to the sale or transfer of ownership of property located within the boundaries of an Indian reservation, the seller shall provide a written notice to the buyer in a buy-sell agreement or at the time of sale to the buyer that the property may be subject to the jurisdiction of a tribal government.

NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations.

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 70, chapter 20, part 1, and the provisions of Title 70, chapter 20, part 1, apply to [section 1].

NEW SECTION. Section 4. Effective date -- applicability. [This act] is effective on passage and approval and applies to the transfer of property occurring on or after [the effective date of this act].

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