

HOUSE BILL NO. 474

INTRODUCED BY BUZZAS

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A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT THAT A COUNTY LEGAL NOTICE BE PUBLISHED IN A NEWSPAPER WITH A PAID CIRCULATION AND A PERIODICALS MAILING PERMIT; AND AMENDING SECTION 7-1-2121, MCA."

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

Section 1. Section 7-1-2121, MCA, is amended to read:

"7-1-2121. Publication and content of notice -- proof of publication. Unless otherwise specifically provided, whenever a local government unit other than a municipality is required to give notice by publication, the following applies:

(1) Publication must be in a newspaper meeting the qualifications of subsections (2) and (3), except that in a county where no newspaper meets these qualifications, publication must be made in a qualified newspaper in an adjacent county. If there is no qualified newspaper in an adjacent county, publication must be made by posting the notice in three public places in the county, designated by resolution of the governing body.

(2) (A) The newspaper must be:

~~(a)(i)~~ of general ~~paid~~ circulation ~~with a periodicals mailing permit~~;

~~(b)(ii)~~ published at least once a week; and

~~(c)(iii)~~ published in the county where the hearing or other action will take place.

(B) A NEWSPAPER OF GENERAL CIRCULATION DOES NOT INCLUDE A NEWSLETTER OR OTHER DOCUMENT PRODUCED OR PUBLISHED BY THE LOCAL GOVERNMENT UNIT.

(3) In the case of a contract award, the newspaper must have been published continuously in the county for the 12 months preceding the awarding of the contract.

(4) If a person is required by law or ordinance to pay for publication, the payment must be received before the publication may be made.

(5) The notice must be published twice, with at least 6 days separating each publication.

(6) The published notice must contain:

(a) the date, time, and place of the hearing or other action;

