

HOUSE BILL NO. 196

INTRODUCED BY B. EBINGER

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PERCENTAGE OF SIGNATURES REQUIRED TO PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT; AMENDING SECTION 7-12-2102, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 7-12-2102, MCA, is amended to read:

**"7-12-2102. Authorization to create rural improvement districts -- property owners may petition for creation.** (1) Whenever the public interest or convenience may require, the board of county commissioners may order and create special improvement districts outside of the limits of incorporated towns and cities for the purpose of building, constructing, or acquiring by purchase one or more of the improvements of the kind described in 7-12-4102; in or for the benefit of the special improvement district.

(2) The board of county commissioners may order and create a special improvement district upon the receipt of a petition to create a special improvement district that contains the consent of ~~at~~ 60% of the owners of property to be included in the district.

(3) The board of county commissioners may order and create special improvement districts covering projects abutting the city limits and include properties inside the city where the rural improvement district abuts and benefits that property. Properties within the proposed district boundaries inside the city may not be included in the rural special improvement district if, under the assessment methodology provided in the resolution of intention, the owners of lots, tracts, or parcels in the city representing not less than 40% of the total projected assessments against properties in the city protest the creation of the rural special improvement district. The property inside the city must be treated in a similar manner ~~as~~ with regard to improvements, notices, and assessments as the property outside the city limits. A joint resolution of the city and county must be passed agreeing to the terms of the rural special improvement district prior to passing the resolution of intention or resolution creating the rural special improvement district. A copy of the resolution of intention and the resolution creating the rural special improvement district must be provided to the city clerk upon the passage of the respective resolutions."



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2           NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2009.

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