EXHIBIT 2
DATE 3-24-09
SB SB 148

Amendments to Senate Bill No. 148
3rd Reading Copy

Requested by Representative Robyn Driscoll

For the House Local Government Committee

Prepared by Joe Kolman
March 11, 2009 (8:08pm)

1. Title.
Following: line 7
Insert: "7-2-4103,"

2. Page 1.
Following: line 15
Insert: "Section 1. Section 7-2-4103, MCA, is amended to read:
"7-2-4103. Prerequisites to organization of municipality. No municipal corporation may be formed unless:
(1) (a) the number of inhabitants is 300 or upwards; or
(b) the community was a townsite owned and built by the U.S. government prior to April 3, 1981; ~~and~~
(2) the boundary of the proposed territory to be incorporated is more than 3 miles from the boundary, measured from the nearest point between the two, of any presently incorporated city or town or there is presented to the board appropriate evidence that any presently incorporated city or town within 3 miles which legally could annex has refused to annex the proposed territory; and
(3) the express written consent is provided by the owner of record for a parcel of land used in whole or in part for agriculture, mining, smelting, refining, power generation, or any industrial or manufacturing purpose that is proposed to be included within the boundary of the proposed territory to be incorporated."
{*Internal References to 7-2-4103:*
7-2-4104x }"

- END -

(a)

7-2-4503 Annexation of wholly surrounded land
7-2-4608 Annex by petition

SB014803.ajk