

HOUSE BILL NO. 391

INTRODUCED BY T. BERRY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE POWER OF INITIATIVE DOES NOT EXTEND TO THE PRIORITIZATION OF THE ENFORCEMENT OF ANY STATE LAW BY A UNIT OF LOCAL GOVERNMENT; AND AMENDING SECTION 7-5-131, MCA."

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

Section 1. Section 7-5-131, MCA, is amended to read:

"7-5-131. Right of initiative and referendum. (1) The powers of initiative and referendum are reserved to the electors of each local government. Resolutions and ordinances within the legislative jurisdiction and power of the governing body of the local government, except those set out in subsection (2), may be proposed or amended and prior resolutions and ordinances may be repealed in the manner provided in 7-5-132 through 7-5-137.

(2) The powers of initiative ~~shall~~ do not extend to the following:

- (a) the annual budget;
- (b) bond proceedings, except for ordinances authorizing bonds;
- (c) the establishment and collection of charges pledged for the payment of principal and interest on bonds; ~~or~~
- (d) the levy of special assessments pledged for the payment of principal and interest on bonds; or
- (e) the prioritization of the enforcement of any state law by a unit of local government."

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