

## HOUSE BILL NO. 546

INTRODUCED BY B. WAGNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING COUNTIES AND MUNICIPALITIES FROM  
5 OFFERING CERTAIN PRODUCTS FOR SALE OR USE IN COMPETITION WITH FOR-PROFIT ENTITIES; AND  
6 PROVIDING AN APPLICABILITY DATE."

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8 WHEREAS, activities such as those that this legislation seeks to prohibit are a direct assault on the free  
9 enterprise system in which taxes support legitimate governmental purposes; and

10 WHEREAS, the activities hinder, if not kill, private investment, community development, and sustainable  
11 economic prosperity; and

12 WHEREAS, these activities artificially increase costs of legitimate governmental functions and rob school  
13 districts of taxable value, assets, land, and equipment; and

14 WHEREAS, these activities are used to access state and federal grant money using in-kind contributions,  
15 furthering the blatant theft from unsuspecting taxpayers.

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

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19 NEW SECTION. **Section 1. County prohibited from direct competition with for-profit entity.** A  
20 county may not offer a product that is grown or created at public expense for sale or use to the general public if  
21 a for-profit entity is offering a similar product in that county.

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23 NEW SECTION. **Section 2. Municipality prohibited from direct competition with for-profit entity.**  
24 A municipality may not offer a product that is grown or created at public expense for sale or use to the general  
25 public if a for-profit entity is offering a similar product in that municipality.

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27 NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an  
28 integral part of Title 7, chapter 5, part 21, and the provisions of Title 7, chapter 5, part 21, apply to [section 1].

29 (2) [Section 2] is intended to be codified as an integral part of Title 7, chapter 5, part 41, and the  
30 provisions of Title 7, chapter 5, part 41, apply to [section 2].

