

SENATE BILL NO. 248

INTRODUCED BY K. GILLAN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A BOARD OF COUNTY COMMISSIONERS TO
5 APPOINT A ~~FIVE-MEMBER~~ COUNTY TAX APPEAL BOARD WITH THE NUMBER OF MEMBERS OVER THREE
6 TO BE DETERMINED BY THE COUNTY; PROVIDING THAT IN COUNTIES WITH ~~FIVE-MEMBER~~ BOARDS
7 OF MORE THAN THREE MEMBERS, ONLY THREE OF THE MEMBERS HEAR EACH APPEAL; AND
8 AMENDING SECTION 15-15-101, MCA."

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

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12 **Section 1.** Section 15-15-101, MCA, is amended to read:
13 **"15-15-101. County tax appeal board -- meetings and compensation.** (1) The board of county
14 commissioners of each county shall appoint a ~~three-member or five-member~~ county tax appeal board, with A
15 MINIMUM OF THREE MEMBERS AND WITH the members to serve staggered terms of 3 years each. The members of
16 each county tax appeal board must be residents of the county in which they serve. The members receive
17 compensation of \$45 a day and travel expenses, as provided for in 2-18-501 through 2-18-503, only when the
18 county tax appeal board meets to hear taxpayers' appeals from property tax assessments or when they are
19 attending meetings called by the state tax appeal board. Travel expenses and compensation must be paid from
20 the appropriation to the state tax appeal board. Office space and equipment for the county tax appeal boards
21 must be furnished by the county. All other incidental expenses must be paid from the appropriation of the state
22 tax appeal board.

23 (2) The county tax appeal board shall hold an organizational meeting each year on the date of its first
24 scheduled hearing, immediately before conducting the business for which the hearing was otherwise scheduled.
25 At the organizational meeting the members shall choose one member as the presiding officer of the board. † The
26 county tax appeal board shall continue in session from July 1 of the current tax year until December 31 of the
27 current tax year to hear protests concerning assessments made by the department until the business of hearing
28 protests is disposed of and, as provided in 15-2-201, may meet after December 31.

29 (3) In counties that have appointed five MORE THAN THREE members to the county tax appeal board, only
30 three members shall hear each appeal. The presiding officer shall select the three members hearing each

1 appeal.

2 ~~(3)~~(4) In connection with an appeal, the county tax appeal board may change any assessment or fix the
3 assessment at some other level. Upon notification by the county tax appeal board, the county clerk and recorder
4 shall publish a notice to taxpayers, giving the time the county tax appeal board will be in session to hear
5 scheduled protests concerning assessments and the latest date the county tax appeal board may take
6 applications for the hearings. The notice must be published in a newspaper if any is printed in the county or, if
7 none, then in the manner that the county tax appeal board directs. The notice must be published by May 15 of
8 the current tax year.

9 ~~(4)~~(5) Challenges to a department rule governing the assessment of property or to an assessment
10 procedure apply only to the taxpayer bringing the challenge and may not apply to all similarly situated taxpayers
11 unless an action is brought in the district court as provided in 15-1-406."

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