

SENATE BILL NO. 353

INTRODUCED BY J. BRENDEN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO PAYMENTS TO COUNTIES FOR
5 LAND OWNED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; CLARIFYING AND ELIMINATING
6 CERTAIN EXCEPTIONS TO DEPARTMENT PAYMENT; AMENDING SECTION 87-1-603, MCA; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Section 87-1-603, MCA, is amended to read:
12 **"87-1-603. Payments to counties for department-owned land -- exceptions.** (1) ~~Except as provided~~
13 ~~in subsection (3), before~~ Before November 30 of each year, the treasurer of each county in which the department
14 owns any land shall describe the land, state the number of acres in each parcel, and request the drawing of a
15 warrant to the county in a sum equal to the amount of taxes that would be payable on county assessment of the
16 property if it was taxable to a private citizen. The director shall approve or disapprove the request. The director
17 may disapprove a request only if the director finds it to be inconsistent with this section. If the director disapproves
18 a request, the director shall return it with an explanation detailing the reasons for the disapproval to the
19 appropriate county treasurer for correction. If the director approves a request, the director shall transmit it to the
20 department of administration, which shall draw a warrant payable to the county in the amount shown on the
21 request and shall send the warrant to the county treasurer. The warrant is payable out of any funds to the credit
22 of the department of fish, wildlife, and parks. A payment may not be made to a county in which the department
23 owns less than ~~400~~ 5 acres. A payment may not be made to a county for lands owned by the department for
24 game or bird farms or for fish hatchery purposes ~~or lands acquired and managed for the purposes of Title 23,~~
25 ~~chapter 4.~~

26 ~~(2) After May 10, 2009, for every department purchase of land, the department shall notify the treasurer~~
27 ~~in the county where land was purchased.~~

28 ~~———— (3) (a) After May 10, 2009, and before November 30 of each subsequent year, the treasurer of each~~
29 ~~county in which the department owns land purchased after May 10, 2009, shall describe the land, state the~~
30 ~~number of acres in each parcel, and request the drawing of a warrant to the county in a sum equal to the amount~~

1 of taxes that would be payable on county assessment of the property if it was taxable to a private citizen.

2 ~~———— (b) The director shall approve or disapprove the request. The director may disapprove a request only~~
3 ~~if the director finds it to be inconsistent with this subsection (3). If the director disapproves a request, the director~~
4 ~~shall return it with an explanation detailing the reasons for the disapproval to the appropriate county treasurer for~~
5 ~~correction. If the director approves a request, the director shall transmit it to the department of administration,~~
6 ~~which shall draw a warrant payable to the county in the amount shown on the request and shall send the warrant~~
7 ~~to the county treasurer. The warrant is payable out of any funds to the credit of the department of fish, wildlife,~~
8 ~~and parks.~~

9 ~~———— (c) All land purchased by the department after May 10, 2009, is subject to this subsection (3).~~

10 ~~(4)(2)~~ The amount to be paid to each county pursuant to this section is statutorily appropriated, as
11 provided in 17-7-502."

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13 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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