HOUSE BILL NO. 551

INTRODUCED BY K. FLYNN

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A LIMITATION ON THE EXPLICIT GRANT OF AUTHORITY TO A PERSON ISSUED A CERTIFICATE UNDER THE MAJOR FACILITY SITING ACT TO EXERCISE THE POWER OF EMINENT DOMAIN; AMENDING SECTION 75-20-113, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 75-20-113, MCA, is amended to read:

"75-20-113. Power to exercise eminent domain. A person issued a certificate before June 1, 2013, pursuant to this chapter may acquire by eminent domain any interest in property, as provided in Title 70, chapter 30, for a public use authorized by law to construct a facility in accordance with the certificate."

NEW SECTION. **Section 2. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

- END -

EXHIBIT 11
DATE 03/06/13
HB 575