



AN ACT REVISING LAWS RELATING TO PAYMENT OF PUBLICATION AND NOTICE OF A PETITION TO CHANGE IRRIGATION DISTRICT BOUNDARIES; AMENDING SECTION 85-7-1805, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Section 85-7-1805, MCA, is amended to read:

"85-7-1805. Notice requirements. ~~On such petition being filed~~ (1) Upon the filing of a petition, the district court ~~or judge thereof shall make an order fixing~~ fix the time and place of hearing on the petition and ~~directing~~ direct that notice ~~thereof~~ of the petition be given. ~~Thereupon the~~

(2) The clerk of said court petitioner shall cause to be published at least once a week for 2 successive ~~calendar~~ weeks; in ~~some~~ a newspaper published in the county where the petition is filed; a notice stating the time and place ~~fixed by the district court when and where~~ of the hearing on ~~said the~~ petition ~~will be had and containing~~ that includes a brief statement of the matters set forth in ~~said the~~ petition ~~and the object thereof~~. If any portion of the lands sought to be excluded from the district lie within any other county or counties, then ~~said the~~ notice shall be published as provided above in a newspaper published in each ~~such other county~~ county or counties. The first publication of ~~said the~~ notice ~~shall be~~ must occur not less than 30 days ~~prior to the time mentioned in said notice~~ for said ~~before the~~ hearing.

(3) If any holder of title or evidence of title to lands sought to be excluded from the district is a nonresident of the county or counties in which the district lies, the clerk of said court petitioner shall; within 3 days ~~after the first publication aforesaid;~~ of the first publication of the notice mail a copy of ~~said the~~ notice to each ~~such~~ nonresident whose ~~post-office~~ address is stated in ~~said the~~ petition. ~~The certificate of the clerk of the district court, under the seal of the court,~~ affidavit of publication as to the facts of the publishing and mailing of ~~said the~~ notice affixed to a copy ~~thereof shall be~~ of the notice is sufficient evidence of ~~such the~~ facts."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0260, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2015.

President of the Senate

Signed this _____ day
of _____, 2015.

HOUSE BILL NO. 260

INTRODUCED BY R. LYNCH

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