

SENATE BILL NO. 303

INTRODUCED BY J. COHENOUR

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE GOVERNING BODY OF A RURAL FIRE DISTRICT TO CHARGE AN INSURER FOR SAFETY SERVICES PROVIDED BY FIRE DISTRICT PERSONNEL; AND AMENDING SECTIONS 7-33-2105 AND 7-33-2109, MCA."

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

**Section 1.** Section 7-33-2105, MCA, is amended to read:

**"7-33-2105. Powers and duties of trustees.** (1) The trustees:

- (a) shall prepare and adopt suitable bylaws;
- (b) have the authority to provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities, including real property and emergency medical services and equipment, for the protection of the district;
- (c) may appoint and form fire companies that have the same duties, exemptions, and privileges as other fire companies for retirement purposes only;
- (d) shall prepare annual budgets and request special levies for the budgets. The budget laws relating to county budgets must, as far as applicable, apply to fire districts.
- (e) may enter into contracts as provided in 7-33-2107; ~~and~~
- (f) may pledge income to secure financing of the district as provided in 7-33-2109; and
- (g) may charge an insurer for safety services provided to an insured by district personnel when district personnel respond to traffic-related emergencies at the request of a law enforcement agency. The rate charged must be determined by the board of county commissioners or the trustees, if the district is governed by trustees, but may not exceed \$1,000 for each incident.

(2) All money received by the trustees must be deposited in the county treasurer's office and credited to the fire district."

**Section 2.** Section 7-33-2109, MCA, is amended to read:

**"7-33-2109. Tax levy, debt incurrence, and bonds authorized -- voted levy for volunteer**



1 **firefighters' disability income or workers' compensation coverage.** (1) At the time of the annual levy of taxes,  
2 the board of county commissioners may, subject to 15-10-420, levy a tax upon all property within a rural fire  
3 district for the purpose of buying or maintaining fire protection facilities, including real property, and apparatus,  
4 including emergency response apparatus, for the district or for the purpose of paying to a city, town, or private  
5 fire service the consideration provided for in any contract with the council of the city, town, or private fire service  
6 for furnishing fire protection service to property within the district. The tax must be collected as are other taxes.

7 (2) Subject to 15-10-425, the board of county commissioners may levy a tax upon all taxable property  
8 within a rural fire district for the purpose of purchasing disability income insurance coverage or workers'  
9 compensation coverage for the volunteer firefighters of the district as provided in 7-6-621.

10 (3) The board of county commissioners or the trustees, if the district is governed by trustees, may pledge  
11 the income of the district, subject to the requirements and limitations of 7-33-2105(1)(d), to secure financing  
12 necessary to procure equipment and buildings, including real property, to house the equipment.

13 (4) In addition to the levy authorized in subsection (1), a district may borrow money by the issuance of  
14 bonds to provide funds for the payment of all or part of the cost of buying or maintaining fire protection facilities,  
15 including real property, and apparatus, including emergency response apparatus, for the district.

16 (5) The amount of debt incurred pursuant to subsection (3) and the amount of bonds issued pursuant  
17 to subsection (4) and outstanding at any time may not exceed 1.1% of the total assessed value of taxable  
18 property, determined as provided in 15-8-111, within the district, as ascertained by the most recent assessment  
19 for state and county taxes prior to the incurrence of debt or the issuance of the bonds.

20 (6) The bonds must be authorized, sold, and issued and provisions must be made for their payment in  
21 the manner and subject to the conditions and limitations prescribed for the issuance of bonds by counties under  
22 Title 7, chapter 7, part 22.

23 (7) The board of county commissioners or the trustees, if the district is governed by the trustees, may  
24 establish a rate schedule for charging insurers for safety services provided to an insured by district personnel  
25 when district personnel respond to traffic-related emergencies at the request of a law enforcement agency. The  
26 rate charged may not exceed \$1,000 for each incident."

27 - END -