



AN ACT PROVIDING LOCAL GOVERNMENTS WITH THE RIGHT OF FIRST REFUSAL ON CERTAIN LANDS BEING SOLD BY THE STATE; AMENDING SECTION 77-2-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Section 77-2-306, MCA, is amended to read:

"77-2-306. Who may purchase. (1) State lands ~~shall~~ may be sold only to citizens of the United States, persons who have declared their intentions to become citizens, corporations organized under the laws of this state, or towns, cities, counties, or consolidated local governments of this state. ~~No~~ A person ~~shall be~~ is not qualified to purchase state land who has not reached the age of 18 years. As far as possible to determine, the lands ~~shall~~ must be sold only to actual settlers or to persons who will improve the ~~same~~ lands and not to persons who are likely to hold ~~such~~ the lands for speculative purposes, intending to resell the ~~same~~ lands at a higher price without having added anything to their value.

(2) State lands may be sold to any sovereign state of the United States or to any board of trustees or public corporation or agency of ~~such~~ any state created by ~~such~~ that state as an agency or political subdivision ~~thereof of that state~~. ~~Said State~~ lands may be purchased in the quantities set forth in 77-2-307 for use by ~~such~~ a state, board of trustees, public corporation, agency, or political subdivision for educational or scientific purposes.

(3) State lands located wholly within the exterior boundaries of the tribal government's reservation as recognized by the federal government may be sold to a tribal government, as defined in 18-11-102.

(4) ~~No~~ A sale involving land in excess of ~~the acreage limitations in 77-2-307~~ 160 acres may ~~not~~ be made under this section without first consulting with the board of county commissioners of the county or counties in which the lands to be sold are located.

(5) A local government that sold or transferred property to the state shall have the right of first refusal if the state subsequently offers the property for sale. For purposes of this subsection, "right of first refusal" means the right to have the first opportunity to purchase the property for not less than fair market value when the property becomes available or the right to meet any other offer.

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

- END -

I hereby certify that the within bill,
HB 0431, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2019.

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 431
INTRODUCED BY LAWSON

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