

## 1 HOUSE BILL NO. 47

2 INTRODUCED BY E. MCCLAFFERTY

3 BY REQUEST OF THE EDUCATION AND LOCAL GOVERNMENT INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DATES BY WHICH A COUNTY MUST FIX CERTAIN  
6 SALARIES, ADOPT A BUDGET, FIX TAX LEVIES, AND ESTIMATE SPECIAL DISTRICT COSTS; AMENDING  
7 SECTIONS 7-4-2504, 7-6-4024, 7-6-4036, AND 7-11-1025, MCA; AND PROVIDING AN EFFECTIVE DATE."8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10  
11 **Section 1.** Section 7-4-2504, MCA, is amended to read:12 **"7-4-2504. Salaries to be fixed by resolution -- cost-of-living increments.** The county governing body  
13 shall ~~by annually adopt a resolution on or before August 1 of each year by the date established in 7-6-4036 to~~  
14 adjust and uniformly fix the salaries of the county treasurer, county clerk, county assessor, county school  
15 superintendent, county sheriff, clerk of district court, county auditor (if there is one), justice of the peace, county  
16 coroner, and county surveyor (if the surveyor receives a salary) by adding to the annual salary provided for in  
17 7-4-2503(1) a cost-of-living increment based upon the schedule developed and approved by the county  
18 compensation board provided for in 7-4-2503(4)."19  
20 **Section 2.** Section 7-6-4024, MCA, is amended to read:21 **"7-6-4024. Hearing on preliminary budget.** (1) The governing body shall hold a hearing in accordance  
22 with the notice given pursuant to 7-6-4021.23 (2) Local government officials shall attend the budget hearing to answer questions on their proposed  
24 budgets if called upon:

25 (a) by the governing body; or

26 (b) by a taxpayer or resident.

27 (3) The hearing may be continued from day to day and must be concluded and the budget finally  
28 approved and adopted by resolution by the later of the ~~second Monday in August or within 45~~ first Thursday after  
29 the first Tuesday in September or within 30 calendar days of receiving certified taxable values from the  
30 department of revenue."

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2           **Section 3.** Section 7-6-4036, MCA, is amended to read:  
3           **"7-6-4036. Fixing tax levy.** (1) The governing body shall fix the tax levy for each taxing jurisdiction within  
4 the county or municipality:  
5           (a) by the later of the first Thursday after the first Tuesday in September or within 30 calendar days after  
6 receiving certified taxable values;  
7           (b) after the approval and adoption of the final budget; and  
8           (c) at levels that will balance the budgets as provided in 7-6-4034.  
9           (2) Each levy:  
10          (a) must be made in the manner provided by 15-10-201; and  
11          (b) ~~except for a judgment levy under 2-9-316 or 7-6-4015,~~ is subject to 15-10-420."

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13           **Section 4.** Section 7-11-1025, MCA, is amended to read:  
14           **"7-11-1025. Notice of resolution for assessment -- assessment.** (1) The governing body shall  
15 estimate, as near as practicable, the cost of each established special district annually by the later of the ~~second~~  
16 ~~Monday in August or within 45~~ first Thursday after the first Tuesday in September or within 30 calendar days after  
17 receiving certified taxable values from the department of revenue.  
18           (2) The governing body shall pass and finally adopt a resolution specifying the special district  
19 assessment option and levying and assessing all the property within the special district with an amount equal to  
20 the annual cost of the program and improvements.  
21           (3) The resolution levying the assessment to defray the cost of the special district must contain or refer  
22 to a list that describes the lot or parcel of land assessed with the name of the owner of the lot or parcel, if known,  
23 and the amount assessed.  
24           (4) The resolution must be kept on file in the office of the clerk of the governing body.  
25           (5) A notice, signed by the clerk of the governing body, stating that the resolution levying a special  
26 assessment or changing the method of assessment to defray the cost of the special district is on file in the clerk's  
27 office and subject to inspection must be published as provided in 7-1-2121 or 7-1-4127. The notice must state  
28 the time and place at which objections to the final adoption of the resolution will be heard by the governing body  
29 and must contain a statement setting out the method of assessment being proposed for adoption or the change  
30 in assessment being proposed for adoption. The time for the hearing must be at least 5 days after the final

1 publication of the notice.

2 (6) The notice and hearing process may be included in the local government's general budgeting process  
3 as provided in Title 7, chapter 6, part 40.

4 (7) At the time set, the governing body shall meet and hear all objections that may be made to the  
5 assessment or any part of the assessment, may adjourn from time to time for that purpose, and may by resolution  
6 modify the assessment.

7 (8) A copy of the resolution, certified by the clerk of the governing body, must be delivered to the  
8 department of revenue by the ~~third Monday in August or within 45~~ second Thursday after the second Tuesday  
9 or within 30 calendar days after receiving certified taxable values from the department of revenue."  
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11 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2013.

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