

HOUSE BILL NO. 497

INTRODUCED BY K. WHITE

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MUNICIPALITIES FROM INCLUDING CERTAIN PROVISIONS IN MUNICIPAL SOCIAL HOST ORDINANCES; AND AMENDING SECTIONS 7-5-109 AND 7-5-4207, MCA."

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

NEW SECTION. Section 1. Social host ordinances fining landlords prohibited -- maintaining lists for enforcement prohibited. (1) A social host ordinance enacted by a municipality may not impose a fine on a person who:

- (a) is a landlord of the property as defined in 70-24-103 and does not reside on the property; or
- (b) owns the property and does not reside on the property.

(2) As part of enforcement of a social host ordinance, a municipality may not maintain or circulate a list of landlords, property owners, or properties on which a social host ordinance violation has occurred.

(3) For the purposes of this section, a "social host ordinance" is an ordinance enacted to prohibit the encouraging, conducting, allowing, or organizing of parties, events, and gatherings at which a person under 21 years of age is in possession of or is consuming an alcoholic beverage.

Section 2. Section 7-5-109, MCA, is amended to read:

"7-5-109. Penalty for violation of ordinance. (1) Except as provided in section 1 and subsection (2) of this section, a local government may fix penalties for the violation of an ordinance that do not exceed a fine of \$500 or 6 months' imprisonment or both the fine and imprisonment.

(2) A local government may fix penalties for the violation of an ordinance relating to local or federal wastewater pretreatment standards implementing the Federal Water Pollution Control Act, 33 U.S.C. 1251 through 1387, if the penalties do not exceed \$1,000 per day for each violation or 6 months' imprisonment, or both."

Section 3. Section 7-5-4207, MCA, is amended to read:



