

SENATE BILL NO. 177

INTRODUCED BY R. WEBB

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT SELF-GOVERNING LOCAL GOVERNMENTS ARE SUBJECT TO THE PROVISIONS OF CERTAIN LAWS GOVERNING LANDLORDS AND TENANTS; INCLUDING THE LANDLORD AND TENANT ACT AND LAWS GOVERNING RESIDENTIAL TENANTS' SECURITY DEPOSITS AND RENTAL AGREEMENTS AMONG THE PROVISIONS ON WHICH A SELF-GOVERNING LOCAL GOVERNMENT IS PROHIBITED FROM ACTING OTHER THAN AS PROVIDED; AND AMENDING SECTION 7-1-114, MCA."

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

Section 1. Section 7-1-114, MCA, is amended to read:

"7-1-114. Mandatory provisions. (1) A local government with self-government powers is subject to the following provisions:

(a) all state laws providing for the incorporation or disincorporation of cities and towns, for the annexation, disannexation, or exclusion of territory from a city or town, for the creation, abandonment, or boundary alteration of counties, and for city-county consolidation;

(b) Title 7, chapter 3, part 1;

(c) all laws establishing legislative procedures or requirements for units of local government;

(d) all laws regulating the election of local officials;

(e) all laws that require or regulate planning or zoning;

(f) any law directing or requiring a local government or any officer or employee of a local government to carry out any function or provide any service;

(g) except as provided in subsection (3), any law regulating the budget, finance, or borrowing procedures and powers of local governments;

(h) Title 70, chapters 24, 25, 30, and 31, and 33.

(2) These provisions are a prohibition on the self-government unit acting other than as provided.

(3) (a) Notwithstanding the provisions of subsection (1)(g) and except as provided in subsection (3)(b), self-governing local government units are not subject to the mill levy limits established by state law.



1 (b) The provisions of 15-10-420 apply to self-governing local government units."

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