

HOUSE BILL NO. 615

INTRODUCED BY G. HERTZ

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE STATE TO REIMBURSE TAXING JURISDICTIONS FOR TAXES THAT WOULD BE ASSESSED ON PROPERTY HELD IN TRUST FOR A MONTANA INDIAN TRIBE OR EXEMPT BECAUSE OF OWNERSHIP BY AN INDIAN TRIBE; SPECIFYING PROPERTY FOR WHICH THE REIMBURSEMENT IS REQUIRED; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. State to pay property taxes on exempt property held in trust for Indian

tribe. (1) A taxing jurisdiction is entitled to reimbursement by the state of property taxes as provided in this section. The reimbursement is for:

- (a) property held by the United States in trust for a Montana Indian tribe and its members; and
- (b) property exempt from taxation because the property is owned by a Montana tribal government, except property exempt under 15-6-201.

(2) The reimbursement is required after approval of the property tax exemption by the department. The reimbursement is for property taxes assessed on the real property and on improvements that existed at the time of requesting the exemption.

(3) The department shall classify and appraise property described in subsection (1) as provided in Title 15, chapter 7, and shall include the taxable value in the certification of taxable values required in 15-10-202. The department is not required to prepare the notice of classification and appraisal provided for in 15-7-102.

(4) The taxes that would be due on property described in subsection (1) must be determined as provided in 15-10-305. The tax notice must be sent to the department of administration, which shall pay the reimbursement according to the time schedule provided in 15-16-102.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

integral part of Title 15, chapter 6, part 2, and the provisions of Title 15, chapter 6, part 2, apply to [section 1].



1 NEW SECTION. **Section 3. Notification to tribal governments.** The secretary of state shall send a
2 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
3 Chippewa tribe.

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5 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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7 NEW SECTION. **Section 5. Applicability.** [This act] applies to property for which an exemption
8 application is made after [the effective date of this act].

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