

1 SENATE BILL NO. 301
 2 INTRODUCED BY J. SMALL
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A COUNTY COMMISSION SHALL GIVE
 5 WRITTEN APPROVAL BEFORE A PUBLIC ROAD THAT ACCESSES PUBLIC LANDS IS ABANDONED,
 6 VACATED, OR CLOSED."

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 8 WHEREAS, Article X, section 11, of the Montana Constitution grants that public lands shall be held in
 9 trust for the people; and

10 WHEREAS, fire departments and search and rescue organizations need access to public lands in order
 11 to ensure public safety; and

12 WHEREAS, access to public lands promotes effective and beneficial forest management; and

13 WHEREAS, a county commission understands the needs of its constituents and must be included in the
 14 process of restricting the public's access to public lands within a county.

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

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 18 NEW SECTION. **Section 1. Approval for abandonment, vacation, or encroachment of public road**
 19 **used to access public lands.** A public road used to access public lands may not be abandoned, vacated, or
 20 closed using any type of encroachment, including a locked gate, fence, building, or other structure, without the
 21 written approval of the county commission of the affected county.

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 23 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
 24 integral part of Title 7, chapter 14, and the provisions of Title 7, chapter 14, apply to [section 1].

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