

1 HOUSE BILL NO. 430

2 INTRODUCED BY K. WHITMAN, M. BINKLEY, L. BREWSTER, E. BUTTREY, J. DOOLING, J. FULLER, S.
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 6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LIMITATIONS ON EMERGENCY POWERS; LIMITING
 7 THE ABILITY TO INTERFERE WITH THE COLLECTION OF RENT OR WITH ACTIONS FOR TERMINATION
 8 AND POSSESSION; ~~AND~~ AMENDING SECTION 10-3-102, MCA; AND PROVIDING AN IMMEDIATE
 9 EFFECTIVE DATE."

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

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 13 **Section 1.** Section 10-3-102, MCA, is amended to read:

14 **"10-3-102. Limitations.** Parts 1 through 4 of this chapter may not be construed to give any state,
 15 local, or interjurisdictional agency or public official authority to:

16 (1) interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by
 17 parts 1 through 4 of this chapter or other laws may be taken when necessary to forestall or mitigate imminent or
 18 existing danger to public health or safety;

19 (2) interfere with dissemination of news or comment on public affairs. However, any communications
 20 facility or organization, including but not limited to radio and television stations, wire services, and newspapers,
 21 may be required to transmit or print public service messages furnishing information or instructions in connection
 22 with an emergency or disaster.

23 (3) affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the armed
 24 forces of the United States, or any personnel of those entities when on active duty, but state, local, and
 25 interjurisdictional disaster and emergency plans must place reliance upon the forces available for performance
 26 of functions related to emergencies and disasters; ~~or~~

27 (4) limit, modify, or abridge the authority of the governor to proclaim martial law or exercise any other
 28 powers vested in the governor under the constitution, statutes, or common law of this state independent of or in

1 conjunction with any provisions of parts 1 through 4 of this chapter; or
2 (5) except in areas evacuated or subject to control of ingress pursuant to 10-3-104, and for no more
3 than 60 days without legislative approval, interfere with the collection of rent or with actions for termination and
4 possession pursuant to Title 70, chapter 24, part 4, ~~or Title 70, chapter 27, OR CHAPTER 33.~~"

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6 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

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