



AN ACT ALLOWING THE ACCEPTANCE OF IN-KIND SERVICES OR MATERIALS IN EXCHANGE FOR UTILITIES EASEMENTS ON STATE LANDS USED FOR ARMORIES OR OTHER MILITARY FACILITIES; AMENDING SECTION 10-1-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

**Section 1.** Section 10-1-108, MCA, is amended to read:

**"10-1-108. Armories -- acquisition and sale -- proceeds -- account -- utilities easements.** (1) A county, city, or town may convey or lease real property to the state for armories or other military facilities.

(2) A county, city, or town in which a unit of the national guard is organized and regularly stationed may provide any part of the funds to build an armory. The armory must be of sufficient size and suitable for the drill of the unit.

(3) (a) There is a Montana national guard land purchase account in the state special revenue fund. If the state sells an armory, the money from the sale must be deposited in the account.

(b) Money in the account is statutorily appropriated, as provided in 17-7-502, for the purposes described in subsection (4).

(c) Any interest and income accruing on the account must be deposited in the state general fund.

(4) (a) Money in the account may be used for preparations to purchase or the purchase of land necessary for the Montana national guard's mission and is expendable solely upon the authorization of the governor.

(b) Money in the account may be used for the construction of facilities necessary for the Montana national guard's mission subject to the provisions of the state long-range building program and 18-2-102. Money in the account may not be expended for construction unless the balance of the account, after any proposed construction expenses are deducted, is at least \$250,000.

(5) The department may accept the in-kind provision of services or materials, or both, as consideration equal to or exceeding the full market value of any utilities easement on real property used by the department for an armory or military facility."

**Section 2. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
HB 22, originated in the House.

---

Chief Clerk of the House

---

Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

---

President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

HOUSE BILL NO. 22

INTRODUCED BY F. GARNER

BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

AN ACT ALLOWING THE ACCEPTANCE OF IN-KIND SERVICES OR MATERIALS IN EXCHANGE FOR UTILITIES EASEMENTS ON STATE LANDS USED FOR ARMORIES OR OTHER MILITARY FACILITIES; AMENDING SECTION 10-1-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.