

1 HOUSE BILL NO. 407
2 INTRODUCED BY D. FERN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR PROPERTY TAX ABATEMENTS FOR
5 AFFORDABLE RENTAL HOUSING; PROVIDING THAT A LOCAL GOVERNMENT MAY CHOOSE TO OFFER
6 THE ABATEMENTS; PROVIDING FOR AN ABATEMENT FOR AFFORDABLE MULTIFAMILY RENTAL
7 HOUSING WITH FIVE UNITS OR MORE; PROVIDING FOR AN ABATEMENT FOR AFFORDABLE RENTAL
8 HOUSING WITH FOUR UNITS OR FEWER OR FOR AN AFFORDABLE ACCESSORY DWELLING UNIT;
9 PROVIDING AN ABATEMENT FOR AFFORDABLE TRAILER COURTS; PROVIDING LEGISLATIVE INTENT;
10 PROVIDING DEFINITIONS; AND PROVIDING AN APPLICABILITY DATE."

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

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14 NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 3], unless the context clearly
15 indicates otherwise, the following definitions apply:

16 (1) "Accessory dwelling unit" means a self-contained living unit subordinate to and on the same
17 parcel as a single-family dwelling that includes its own cooking, sleeping, and sanitation facilities and is created
18 within or detached from the single-family dwelling, including but not limited to an attached or detached garage.

19 (2) "Affordable accessory dwelling unit" means a rent-restricted accessory dwelling unit with a
20 lease term of 30 days or longer.

21 (3) "Affordable multifamily rental housing" means rental housing with a minimum of 5 units and a
22 lease term of 30 days or longer for which 20% or more of units are rent restricted.

23 (4) "Affordable rental housing" means one or more rent-restricted units of a multifamily rental
24 dwelling with 4 units or fewer and with a lease term of 30 days or longer.

25 (5) "AFFORDABLE TRAILER COURT" MEANS A TRAILER COURT DETERMINED TO BE AFFORDABLE BY A LOCAL
26 GOVERNMENT OFFERING AN ABATEMENT UNDER [SECTION 4].

27 ~~(5)~~(6) "Gross household income" means all income received by all individuals of a household while
28 they are members of the household.

Amendment - 1st Reading-white - Requested by: Jim Hamilton - (H) Appropriations

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0407.002.001

1 MILLS LEVIED AND ASSESSED BY THE GOVERNING BODY APPROVING THE BENEFIT OVER WHICH THE GOVERNING BODY
2 HAS SOLE DISCRETION. THE TAX BENEFIT DESCRIBED IN SUBSECTION (2) MAY NOT APPLY TO LEVIES OR ASSESSMENTS
3 REQUIRED UNDER TITLE 15, CHAPTER 10, 20-9-331, 20-9-333, 20-9-360, OR 20-25-439, OR OTHERWISE REQUIRED
4 UNDER STATE LAW.

5 (6) PRIOR TO APPROVING THE RESOLUTION UNDER THIS SECTION, THE GOVERNING BODY SHALL NOTIFY BY
6 CERTIFIED MAIL ALL TAXING JURISDICTIONS AFFECTED BY THE TAX BENEFIT.

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8 **NEW SECTION. Section 5. Legislative intent.** It is the intent of the legislature that the department of
9 revenue implement [this act] within existing resources.

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11 **NEW SECTION. Section 6. Codification instruction.** [Sections 1 through 3 4] are intended to be
12 codified as an integral part of Title 15, chapter 24, and the provisions of Title 15, chapter 24, apply to [sections
13 1 through 3 4].

14
15 **NEW SECTION. Section 7. Applicability.** [This act] applies to property tax years beginning after
16 December 31, 2023.

17 - END -