

1 HOUSE BILL NO. 853

2 INTRODUCED BY T. BROCKMAN, L. REKSTEN, G. FRAZER, J. BERGSTROM, J. FITZPATRICK, C.

3 SPRUNGER, B. BARKER, J. KARLEN, N. DURAM

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CONSTRUCTING SIDEWALKS OR SHARED-USE PATHS TO
6 IMPROVE ACCESS TO SCHOOLS; AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO
7 ALLOCATE FUNDS TO LOCAL GOVERNMENTS; ESTABLISHING GRANT REQUIREMENTS; PROVIDING
8 AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

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

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12 NEW SECTION. Section 1. Appropriation. (1) There is appropriated \$5 million from the general
13 fund to the department of transportation for the biennium beginning July 1, 2023, for the construction of
14 sidewalks, as defined in 61-8-102, and shared-use paths, as defined in 60-3-302, within state rights-of-way to
15 provide improved access to schools.

16 (2) The \$5 million appropriation must be divided equally between the five transportation districts
17 created in 2-15-2502.

18 (3) (a) The department of transportation may allocate portions of funds appropriated under this
19 section to local governments to be used as matching funds for the purpose of grants and other awards for the
20 construction of sidewalks or shared-use paths within state rights-of-way to provide improved access to schools.

21 (b) (i) To receive a grant or award, a local government requesting construction or extension of
22 sidewalks or shared-use paths shall submit a written proposal detailing the location of the project, which must
23 be within 1 mile of a school.

24 (ii) A school district may submit a proposal to the local government of appropriate jurisdiction, and
25 the local government may submit a grant application on behalf of the school district for the proposed project.

26 (c) Prior to the construction or extension of a sidewalk or shared-use path, the local government
27 requesting the construction or extension shall enter into an agreement with the department of transportation
28 obligating the local government to maintain the infrastructure, unless as otherwise agreed to by the department.

Amendment - 1st Reading-white - Requested by: Tony Brockman - (H) Transportation

- 2023

68th Legislature 2023

Drafter: Sara Hess, (406) 444-4838

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1 (d) The department of transportation may award grant funds to an unincorporated town or village
2 contingent on the creation or use of a rural improvement district, special improvement district, or other district
3 provided for in Title 7, chapter 11, part 10, or Title 7, chapter 12, and as agreed to by the department.

4 (e) The department may allow an unincorporated town or village a grace period of 2 months to
5 comply with subsection (3)(d).

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7 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023

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- END -

AMENDED