68th Legislature Drafter: Toni Henneman, 406-444-3593 SJ0021.001.001

1	SENATE JOINT RESOLUTION NO. 21
2	INTRODUCED BY F. MANDEVILLE, S. GUNDERSON, S. KERNS, C. KNUDSEN, S. GIST, A. BUCKLEY, D.
3	FERN, B. MITCHELL, L. REKSTEN, L. BREWSTER, D. LOGE, M. HOPKINS, C. POPE, C. FRIEDEL, K.
4	BOGNER, D. ZOLNIKOV, J. TREBAS, J. KARLEN, T. VERMEIRE, E. BOLDMAN, M. DUNWELL, G. HERTZ
5	
6	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
7	MONTANA REQUESTING AN INTERIM STUDY TO MONITOR THE IMPLEMENTATION OF THE LAND USE
8	PLANNING ACT; AND PROVIDING FOR CONTINGENT VOIDNESS.
9	
10	WHEREAS, the Montana Legislature commonly hears and considers legislation every session
11	regarding land use and planning, including the subdivision and zoning process, a topic that plays a role in
12	alleviating the current housing crisis in the state; and
13	WHEREAS, after the 2021 session, a Land Use Working Group was established, composed of a
14	bipartisan group of legislators and stakeholders from various sectors, including city and county officials and
15	representatives, realtors, builders, land planners, surveyors, and various other stakeholders; and
16	WHEREAS, the work of the Land Use Working Group culminated in a new, comprehensive piece of
17	draft legislation known as the Land Use Planning Act that was introduced as Senate Bill No. 382, which is
18	currently under consideration by the 68th Legislature; and
19	WHEREAS, if passed and approved, the Land Use Planning Act creates a new land use planning
20	framework for cities meeting certain population thresholds and allows other cities and counties the option to use
21	the new framework; and
22	WHEREAS, the intent of the Land Use Planning Act is to alleviate or reduce the regulatory burden on
23	local governments, developers, and ultimately Montana's taxpayers by offering an approach in which housing
24	development is prioritized and a comprehensive plan, allowing for robust public comment and participation, is
25	established in advance of development needs; and
26	WHEREAS, if passed and approved, the Land Use Planning Act creates a process that will benefit from
27	early study to ensure that the act is implemented as intended, challenges are identified early, and any needed
28	legislative changes are brought before the 69th Legislative Session after careful consideration during the



Amendment - 1st Reading-white - Requested by: Forrest Mandeville - (S) Local Government

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- 3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
- 4 THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

- (1) monitor and review the implementation of Senate Bill No. 382, the Land Use Planning Act;
- (2) request periodic feedback from cities meeting the population threshold requirements established in the act in order to gauge the effectiveness of implementation and to identify challenges:
 - (3) monitor whether city, county, and consolidated city-county governments that are not required to follow the act choose to do so and determine the reasons a local government chooses to follow the act, if applicable;
 - (4) analyze the sections of the act that are working well and which sections pose current or potential implementation challenges, including any unnecessary delays or unforeseen issues; and
 - (5) determine if legislative changes are needed to ensure the intent of the act is achieved or revised to allow for the most effective land use planning to occur in local areas.

BE IT FURTHER RESOLVED, that the study include representatives from interested parties, including but not limited to the Montana Association of Counties, the Montana League of Cities and Towns, the Montana Association of Realtors, the Montana Association of Planners, the Montana Building Industry Association, the Department of Environmental Quality, the Department of Commerce, and other city, county, consolidated city-county government and industry representatives as considered appropriate.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2024.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 69th Legislature.



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1 NEW SECTION. Section 1. Contingent voidness. If Senate Bill No. 382 is not passed and

2 approved, then [this act] is void.

3 - END -



