



AN ACT REVISING ELIGIBILITY FOR RESORT COMMUNITIES AND RESORT AREAS; REQUIRING A DESIGNATION FROM THE DEPARTMENT OF COMMERCE WITHIN 2 YEARS OF THE PETITION; REVISING PROVISIONS RELATED TO ECONOMIC ACTIVITY WITHIN A RESORT COMMUNITY OR RESORT AREA; REVISING DEFINITIONS; AMENDING SECTION 7-6-1501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

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

Section 1. Section 7-6-1501, MCA, is amended to read:

"7-6-1501. Definitions. As used in this part, the following definitions apply:

- (1) "Board of directors" means the board of directors of the resort area district.
- (2) "Infrastructure" means tangible facilities and assets related to water, sewer, wastewater treatment, storm water, solid waste and utilities systems, fire protection, ambulance and law enforcement, roads, bridges, and other transportation needs.
- (3) "Luxuries" means any gift item, luxury item, or other item normally sold to the public or to transient visitors or tourists. The term does not include food purchased unprepared or unserved, medicine, medical supplies and services, appliances, hardware supplies and tools, or any necessities of life.
- (4) "Medical supplies" means items that are sold to be used for curative, prosthetic, or medical maintenance purposes, whether or not prescribed by a physician.
- (5) "Medicine" means substances sold for curative or remedial properties, including both physician prescribed and over-the-counter medications.
- (6) "Qualified elector" means a person who is qualified to vote under 13-1-111 and is a resident of a resort community, resort area, or proposed or established resort area district.
- (7) "Resort area" means an area that:

(a) is an unincorporated area and is a defined contiguous geographic area;

(b) has a population of less than 2,500 according to the most recent federal census;

(c) derives ~~the major portion~~ more than 50% of its economic well-being from businesses catering to the recreational and personal needs of persons traveling to or through the area for purposes not related to their income production and excluding economic activity from health care, schools, government, and other services that primarily benefit residents; and

(d) has been designated by the department of commerce as a resort area not more than 2 years prior to its establishment by the county commissioners as provided in 7-6-1508.

(8) "Resort area district" means a district created under 7-6-1532 through 7-6-1536, 7-6-1539 through 7-6-1544, 7-6-1546 through 7-6-1548, and 7-6-1550 that has been established as a resort area under 7-6-1508.

(9) "Resort community" means a community that:

(a) is an incorporated municipality;

(b) has a population of less than 5,500 according to the most recent federal census;

(c) derives ~~the primary portion~~ more than 50% of its economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production and excluding economic activity from health care, schools, government, and other services that primarily benefit residents; and

(d) has been designated by the department of commerce as a resort community not more than 2 years before the petition of the electors or resolution of the governing body."

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

Section 3. Applicability. [This act] applies to resort community or resort area petitions and resolutions adopted after [the effective date of this act].

- END -

I hereby certify that the within bill,
SB 199, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2023.

Speaker of the House

Signed this _____ day
of _____, 2023.

SENATE BILL NO. 199

INTRODUCED BY G. HERTZ

AN ACT REVISING ELIGIBILITY FOR RESORT COMMUNITIES AND RESORT AREAS; REQUIRING A DESIGNATION FROM THE DEPARTMENT OF COMMERCE WITHIN 2 YEARS OF THE PETITION; REVISING PROVISIONS RELATED TO ECONOMIC ACTIVITY WITHIN A RESORT COMMUNITY OR RESORT AREA; REVISING DEFINITIONS; AMENDING SECTION 7-6-1501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.