

HOUSE BILL NO. 369

INTRODUCED BY M. MALONE, S. GUNDERSON, D. BEDEY, S. GIST, L. BREWSTER, J. DOOLING, C.

HINKLE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LOCAL GOVERNING BODY TO SUBMIT A REFERENDUM TO ADOPT A GROWTH POLICY TO THE QUALIFIED ELECTORS; AMENDING SECTION 76-1-604, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 76-1-604, MCA, is amended to read:

"76-1-604. Adoption, revision, or rejection of growth policy. (1) The governing body shall adopt a resolution of intention to adopt, adopt with revisions, or reject the proposed growth policy.

(2) If the governing body adopts a resolution of intention to adopt a growth policy, the governing body ~~may~~shall submit to the qualified electors of the area covered by the growth policy proposed by the governing body at the next primary or general election or at a special election the referendum question of whether or not the growth policy should be adopted. A special election must be held in conjunction with a regular or primary election.

(3) A governing body may:

(a) revise an adopted growth policy following the procedures in this chapter for adoption of a proposed growth policy; or

(b) repeal a growth policy by ~~resolution~~submitting to the qualified electors of the area covered by the growth policy a referendum to repeal the growth policy in accordance with the procedure provided in subsection (2).

(4) The qualified electors of the area covered by the growth policy may by initiative or referendum adopt, revise, or repeal a growth policy under this section. A petition for initiative or referendum must contain the signatures of 15% of the qualified electors of the area covered by the growth policy.

(5) A master plan adopted pursuant to this chapter before October 1, 1999, may be repealed

1 following the procedures in this section for repeal of a growth policy.

2 (6) Until October 1, 2006, a master plan that was adopted pursuant to this chapter before October
3 1, 1999, may be revised following the procedures in this chapter for revision of a growth policy.

4 (7) Except as otherwise provided in this section, the provisions of Title 7, chapter 5, part 1, apply to
5 an initiative or referendum under this section."

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

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