

HOUSE BILL 136

Introduced by Southworth

1/09	Introduced
1/09	Referred to Taxation
1/10	First Reading
1/18	Hearing
1/18	Tabled in Committee

1 *House* BILL NO. *136*  
 2 INTRODUCED BY *Jim Sutherland*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A 3-YEAR  
 5 WAITING PERIOD BEFORE A RESOLUTION CONCERNING THE IMPOSITION  
 6 OF A RESORT TAX MAY AGAIN BE PLACED BEFORE THE ELECTORS WHEN  
 7 A RESOLUTION IS REJECTED; AND AMENDING SECTION 7-6-4464,  
 8 MCA."  
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 7-6-4464, MCA, is amended to read:

12 \*7-6-4464. Resort community tax -- election required --  
 13 procedure. (1) A resort community may not impose or, except  
 14 as provided in 7-6-4465, amend or repeal a resort tax unless  
 15 the resort tax question has been submitted to the electorate  
 16 of the resort community and approved by a majority of the  
 17 electors voting on the question.

18 (2) The resort tax question may be presented to the  
 19 electors of the resort community by:

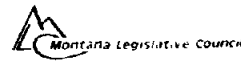
20 (a) a petition of the electors as provided by 7-1-4130,  
 21 7-5-132, and 7-5-134 through 7-5-137; or

22 (b) a resolution of the governing body of the resort  
 23 community.

24 (3) The petition or resolution referring the taxing  
 25 question:

- 1 (a) must state the exact rate of the resort tax;
- 2 (b) must state the duration of the resort tax;
- 3 (c) must state the date when the tax becomes effective,
- 4 which date may not be earlier than 35 days after the
- 5 election; and
- 6 (d) may specify the purposes that may be funded by the
- 7 resort tax revenue.
- 8 (4) Upon receipt of an adequate petition the governing
- 9 body may:
- 10 (a) call a special election on the resort tax question;
- 11 or
- 12 (b) have the resort tax question placed on the ballot
- 13 at the next regularly scheduled election.
- 14 (5) (a) The question of the imposition of a resort tax
- 15 when presented by a petition may not be placed before the
- 16 electors more than once in any fiscal year.
- 17 (b) If the question of the imposition of a resort tax
- 18 is placed before the electors by resolution and is rejected,
- 19 the governing body may not place another resolution on the
- 20 question of the imposition of a resort tax before the
- 21 electors for a period of 3 years from the date the
- 22 resolution was rejected."

-End-



-2- INTRODUCED BILL  
 HB 136