

HOUSE BILL 201

Introduced by Cohen

1/16	Introduced
1/16	Referred to Local Government
1/16	First Reading
2/05	Hearing
2/14	Tabled in Committee

1 House BILL NO. 201  
2 INTRODUCED BY \_\_\_\_\_

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE RESTRICTIONS  
5 AGAINST ANNEXATION OF CERTAIN LAND USED FOR TRANSPORTATION,  
6 INDUSTRIAL, OR MANUFACTURING PURPOSES WHEN THAT LAND IS  
7 WHOLLY SURROUNDED PROPERTY; TO PROVIDE THAT LAND USED FOR  
8 TRANSPORTATION PURPOSES IS CONSIDERED WHOLLY SURROUNDED IF  
9 IT IS AT LEAST 50 PERCENT CONTIGUOUS WITH A CITY BOUNDARY;  
10 AND AMENDING SECTIONS 7-2-4503 AND 7-2-4504, MCA."

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **Section 1.** Section 7-2-4503, MCA, is amended to read:

14 "7-2-4503. Restrictions on annexation power. Land ~~shall~~  
15 may not be annexed under this part whenever the land is  
16 used:

17 (1) for an agricultural, mining, smelting, or refining,  
18 ~~transportation, or any industrial or manufacturing~~ purpose;  
19 or

20 (2) for the purpose of maintaining or operating a golf  
21 or country club, an athletic field or aircraft landing  
22 field, a cemetery, or a place for public or private outdoor  
23 entertainment or any purpose incident thereto."

24 **Section 2.** Section 7-2-4504, MCA, is amended to read:

25 "7-2-4504. What constitutes contiguous lands and wholly

1 surrounded lands. (1) Tracts or parcels of land proposed to  
2 be annexed to a city or town under the provisions of this  
3 part ~~shall be deemed~~ are considered contiguous to such a  
4 city or town even though such the tracts or parcels of land  
5 may be separated from such the city or town by a street or  
6 other roadway, railroad right-of-way, irrigation ditch,  
7 drainage ditch, stream, river, or a strip of unplatted land  
8 too narrow or too small to be platted.

9 (2) For the purposes of this part, land used for  
10 transportation purposes is considered wholly surrounded if  
11 the external boundary of the land identified in the  
12 resolution to annex is at least 50% contiguous with the city  
13 boundary."

-End-

