

HOUSE BILL 707

Introduced by Menahan, et al.

2/08	Introduced
2/08	Referred to Business & Economic Development
2/09	First Reading
2/21	Hearing
2/22	Committee Report--Bill Not Passed as Amended
2/23	Reconsidered Adoption of Adverse Committee Report
2/23	Placed on 2nd Reading
2/25	2nd Reading Passed as Amended
2/26	3rd Reading Passed
	Transmitted to Senate
2/27	First Reading
2/27	Referred to Local Government
3/19	Hearing
3/22	Committee Report--Bill Not Passed
3/22	Adverse Committee Report Adopted

1 *House* BILL NO. *797*  
 2 INTRODUCED BY *Montana* *Carlyle Bauman*  
 3 *James Edwin Hooker* & *Paul Hammond*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE AUTHORITY  
 5 OF TELEVISION DISTRICTS TO INCLUDE THE CONSTRUCTION OF CABLE  
 6 TELEVISION SYSTEMS; AND AMENDING SECTION 7-13-2502, MCA."  
 7

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

9 **Section 1.** Section 7-13-2502, MCA, is amended to read:

10 "7-13-2502. Purposes of television district. The  
 11 purposes of a television district shall be to serve the  
 12 public interest, convenience, and necessity in the  
 13 construction, maintenance, and operation of television  
 14 translator stations and any system necessary thereto by  
 15 appropriate electric or electronic means for television  
 16 program distribution, ~~but said purposes are not meant to~~  
 17 ~~include~~ including the construction or operation of community  
 18 antenna systems, commonly known and referred to as cable TV  
 19 systems."

-End-



INTRODUCED BIL  
HB 701

On motion taken from Business  
Committee adverse committee  
report. Placed on 2nd reading.

1 HOUSE BILL NO. 707

2 INTRODUCED BY MENAHAN, PAVLOVICH, BARDANOUE, DRISCOLL,  
3 GALVIN, BACHINI, STRIZICH, DAILY, HARRINGTON, KILPATRICK,  
4 LARSON, TOOLE, GILBERT, D. BROWN  
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE AUTHORITY  
7 OF TELEVISION DISTRICTS TO INCLUDE THE CONSTRUCTION OF CABLE  
8 TELEVISION SYSTEMS; AND AMENDING SECTION 7-13-2502, MCA; AND  
9 REPEALING SECTION 7-13-2511, MCA."  
10

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

12 **Section 1.** Section 7-13-2502, MCA, is amended to read:

13 "7-13-2502. Purposes of television district. The  
14 purposes of a television district shall be to serve the  
15 public interest, convenience, and necessity in the  
16 construction, maintenance, and operation of television  
17 translator stations and any system necessary thereto by  
18 appropriate electric or electronic means for television  
19 program distribution, ~~but-said-purposes--are--not--meant--to~~  
20 ~~include~~ including the construction or operation of community  
21 antenna systems, commonly known and referred to as cable TV  
22 systems."

23 NEW SECTION. SECTION 2. REPEALER. SECTION 7-13-2511,  
24 MCA, IS REPEALED.

-End-

## 1 HOUSE BILL NO. 707

2 INTRODUCED BY MENAHAN, PAVLOVICH, BARDANOUE, DRISCOLL,  
3 GALVIN, BACHINI, STRIZICH, DAILY, HARRINGTON, KILPATRICK,  
4 LARSON, TOOLE, GILBERT, D. BROWN  
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE AUTHORITY  
7 OF TELEVISION DISTRICTS TO INCLUDE THE CONSTRUCTION OF CABLE  
8 TELEVISION SYSTEMS; AND AMENDING SECTION SECTIONS 7-13-2501,  
9 7-13-2502, AND 7-13-2529, MCA; AND REPEALING SECTION  
10 7-13-2511, MCA."  
11

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

13 Section 1. Section 7-13-2502, MCA, is amended to read:

14 "7-13-2502. Purposes of television district. The  
15 purposes of a television district shall be to serve the  
16 public interest, convenience, and necessity in the  
17 construction, maintenance, and operation of television  
18 translator stations and any system necessary thereto by  
19 appropriate electric or electronic means for television  
20 program distribution, ~~but--said--purposes--are--not--meant--to~~  
21 ~~include~~ including the construction or operation of community  
22 antenna systems, commonly known and referred to as cable TV  
23 systems."  
24

25 SECTION 2. SECTION 7-13-2501, MCA, IS AMENDED TO READ:

"7-13-2501. Authorization to create television

1 districts. (1) Any area of the state may organize as a  
2 television district for the performance of functions  
3 provided for in this part.

4 (2) A television translator district may include a part  
5 or all of any county or may include areas in more than one  
6 county and may include any municipality located within such  
7 county or counties.

8 (3) A television district may not construct or operate  
9 an antenna system, commonly known as a cable TV system, in  
10 an area already served by a private cable TV company with  
11 fewer than 1,000 subscribers."

12 SECTION 3. SECTION 7-13-2529, MCA, IS AMENDED TO READ:

13 "7-13-2529. Exemption for nonbenefited taxpayers. (1)

14 The taxpayers in the television district who do not receive  
15 the signal of the television translator station or who  
16 receive direct reception from the television station from  
17 which the television translator repeats a signal or receive  
18 service through the medium of a community antenna system on  
19 which they are a subscriber in good standing will be exempt  
20 from the payment of the tax for the support of the  
21 television services of the television district, provided  
22 they file an affidavit setting forth any of the grounds  
23 above mentioned. Taxpayers in a television district  
24 operating a cable TV system are exempt from the tax if they  
25 do not receive the cable TV services and they file an

THIRD READING  
AS AMENDED HB 707

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1 affidavit as provided for in this section. The affidavit  
2 shall be filed before September 1 with the board of  
3 trustees, who shall upon the receipt of such affidavit have  
4 the names of such persons so exempted from the tax for  
5 television services stricken from the list of taxpayers  
6 certified to the board of county commissioners. The exempted  
7 persons shall not be liable for such tax.

8 (2) A similar exemption is available with respect to FM  
9 translator services. The procedure provided in subsection  
10 (1) shall be utilized for the FM exemption.

11 (3) Any person or persons who shall make a false or  
12 fraudulent claim for exemption as provided in this section  
13 shall be guilty of a misdemeanor."

14 NEW SECTION. SECTION 4. REPEALER. SECTION 7-13-2511,  
15 MCA, IS REPEALED.

-End-