

1 SENATE BILL NO. 35

2 INTRODUCED BY WEEDING

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE
5 COUNTY ATTORNEY IS THE LEGAL ADVISER TO A HOSPITAL DISTRICT;
6 AND AMENDING SECTIONS 7-4-2711 AND 7-34-2115, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:9 **Section 1.** Section 7-4-2711, MCA, is amended to read:

10 "7-4-2711. County attorney to be legal adviser of
11 county and other subdivisions. (1) The county attorney is
12 the legal adviser of the board of county commissioners. He
13 must attend their meetings when required and must attend and
14 oppose all claims and accounts against the county which are
15 unjust or illegal. He must defend all suits brought against
16 his county.

17 (2) The county attorney must:

18 (a) give, when required and without fee, his opinion in
19 writing to the county, district, and township officers on
20 matters relating to the duties of their respective offices;

21 (b) act as counsel, without fee, for fire districts in
22 unincorporated territories, towns, or villages within his
23 county;

24 (c) when requested by a conservation district pursuant
25 to 76-15-319, act as counsel, without fee; and

1 (d) when requested by a weed district pursuant to
2 7-22-2103, act as counsel, without fee; and

3 (e) when requested by a county hospital board pursuant
4 to 7-34-2115, act as counsel, without fee, unless the legal
5 action requested involves the county commissioners."

6 **Section 2.** Section 7-34-2115, MCA, is amended to read:

7 "7-34-2115. District to be governed by elected trustees
8 -- legal assistance. (1) Said A hospital district shall must
9 be governed and managed by a board of three or five
10 trustees, elected by the registered electors residing in the
11 district. The number of trustees on the board and, if the
12 number is set at five, the initial terms of two trustees
13 shall must be fixed by the bylaws of the district.

14 (2) The trustees must be elected from among the
15 registered electors qualified to vote at general elections
16 within said the district.

17 (3) The trustees may call upon the county attorney for
18 legal advice and services as they may require."

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REFERENCE BILL

SB 35

CONSENT CALENDAR