

1 *Amended* BILL NO. *197*
 2 INTRODUCED BY *Farrar, Goble, Long, Kimble, Murphy*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE STATUTE
 5 PERTAINING TO URBAN RENEWAL AREA FINANCING TO PROVIDE FOR
 6 THE ANNEXATION OR OTHER INCLUSION OF THE URBAN RENEWAL AREA
 7 IN DIFFERENT TAXING JURISDICTIONS; TO PROVIDE THAT THE
 8 ENTIRE TAXABLE VALUE OF THE URBAN RENEWAL AREA MUST BEAR THE
 9 BURDEN OF BONDED INDEBTEDNESS OF ALL TAXING JURISDICTIONS
 10 WITHIN WHICH IT LIES; TO LIMIT THE APPLICATION OF TAX LEVIES
 11 TO THE ACTUAL TAXABLE VALUE OF THE URBAN RENEWAL AREA UNTIL
 12 THE ACTUAL VALUE EXCEEDS THE TAXABLE VALUE OF THE LAST TAX
 13 YEAR PRIOR TO THE ESTABLISHMENT OF THE URBAN RENEWAL AREA;
 14 TO PROVIDE THAT TAX LEVIES SHALL APPLY AGAINST THE ACTUAL
 15 VALUE OF THE URBAN RENEWAL AREA AFTER ALL URBAN RENEWAL
 16 BONDS AND OTHER DEBTS HAVE BEEN RETIRED; TO BROADEN THE USES
 17 OF FUNDS GENERATED BY BONDS; TO AMEND THE DUTIES OF THE
 18 COUNTY TREASURER ACCORDINGLY; AND AMENDING SECTIONS 11-3921,
 19 11-3925, AND 16-2601, R.C.M. 1947."

20
 21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

22 Section 1. Section 11-3921, R.C.M. 1947, is amended to
 23 read as follows:

24 "11-3921. Allocation of taxes. ~~Any urban renewal plan~~
 25 ~~as defined in section 11-3901, R.C.M. 1947, may contain a~~

1 ~~provision or be amended to contain a provision that taxes,~~
 2 ~~if any, levied on taxable property in an urban renewal area~~
 3 ~~each year by or for the benefit of any city which has the~~
 4 ~~power to levy a tax, shall, after the effective date of such~~
 5 ~~provision, be allocated as follows:~~

6 ~~(1) that portion of the taxes produced by the levies~~
 7 ~~for such city upon the total sum of the assessed value of~~
 8 ~~the taxable property in the urban renewal area as shown upon~~
 9 ~~the assessment roll used in connection with the taxation of~~
 10 ~~such property for such city last equalized prior to the~~
 11 ~~effective date of the urban renewal plan shall be allocated~~
 12 ~~to and when collected shall be paid into the funds of such~~
 13 ~~city as taxes by or for such city on all other property are~~
 14 ~~paid; and~~

15 ~~(2) that portion of the levied taxes for such city each~~
 16 ~~year in excess of such amount shall be allocated to and when~~
 17 ~~collected, shall be paid into a special fund held by the~~
 18 ~~city treasurer to pay the principal and interest on bonds,~~
 19 ~~the issue of which is authorized by section 11-3910, R.C.M.~~
 20 ~~1947. (1) Any urban renewal plan, as defined in section~~
 21 ~~11-3901, may contain a provision or be amended to contain a~~
 22 ~~provision providing that taxes levied on taxable property in~~
 23 ~~an urban renewal area each year by or for the benefit of the~~
 24 ~~state, any city, county, or other political subdivisions for~~
 25 ~~which taxes are levied, (hereafter referred to as taxing~~

1 bodies) shall be allocated, after the effective date of such
 2 provision as provided in subsections (3) and (4) of this
 3 section.

4 (2) For the purposes of this section, (a) "prior
 5 assessed value" means the assessed value of the taxable
 6 property in the urban renewal area as shown on the
 7 assessment roll last equalized prior to the effective date
 8 of the urban renewal plan;

9 (b) the word "taxes" includes, but is not limited to,
 10 all levies on an ad valorem basis upon land or real
 11 property.

12 (3) The portion of taxes produced by levies for a
 13 taxing body upon the total sum of the prior assessed value
 14 of the taxable property in the urban renewal area shall be
 15 allocated and paid into the funds of the taxing body like
 16 taxes paid by or for the taxing body on all other property.
 17 For the purpose of allocating taxes levied by a taxing body
 18 that did not include the urban renewal area on the effective
 19 date of the provision allocating the taxes but to which the
 20 urban renewal area has since been annexed or otherwise
 21 included, the assessment roll of the county last equalized
 22 prior to the effective date of the provision shall be used
 23 in determining the assessed valuation of the taxable
 24 property in the urban renewal area.

25 (4) The portion of taxes levied by such taxing body

1 each year in excess of the amount levied under subsection
 2 (3) shall be paid by the county treasurer into a special
 3 fund held by the city treasurer to pay the principal and
 4 interest on bonds issued under authority of section 11-3910,
 5 except that taxes for the payment of all bonds and interest
 6 of each taxing body must be levied against all taxable
 7 property within the taxing body without limitation by the
 8 provisions of this subsection. Until the actual assessed
 9 valuation of all property in the urban renewal area exceeds
 10 the prior assessed value of all taxable property within such
 11 area, the actual assessed value of all property shall be
 12 used for taxation purposes.

13 (5) The portion of taxes allocated in subsection (4)
 14 above, and the special fund into which they are paid, may be
 15 pledged by a municipality for the payment of the principal
 16 and interest on bonds issued under the authority of section
 17 11-3910, or bonded indebtedness, incurred by a municipality
 18 to refinance in whole or in part, the urban renewal project.

19 (6) After all bonds and interest have been paid, all
 20 monies received from taxes upon property within the urban
 21 renewal area shall be allocated as taxes on all other
 22 property."

23 Section 2. Section 11-3925, R.C.M. 1947, is amended to
 24 read as follows:

25 "11-3925. Use of funds generated by bonds. Money

1 generated by the sale of bonds for which funds are allocated
 2 pursuant to section ~~1-11-3921~~ of this act may be used by a
 3 city only for improvement or construction of streets, curbs,
 4 gutters, sidewalks, pedestrian malls, alleys, parking lots,
 5 sewers, waterlines, or waterways, land acquisition,
 6 demolition, and removal of structures, redevelopment, or
 7 improvements."

8 Section 3. Section 16-2601, R.C.M. 1947, is amended to
 9 read as follows:

10 "16-2601. Duties of county treasurer. The county
 11 treasurer must:

12 1. Receive all moneys belonging to the county, and all
 13 other moneys by law directed to be paid to him, safely keep
 14 the same, and apply and pay them out, rendering account
 15 thereof as required by law;

16 2. Keep an account of the receipt and expenditures of
 17 all such moneys in books provided for the purpose, in which
 18 must be entered the amount, the time when, from whom, and on
 19 what account all moneys were received by him; the amount,
 20 time when, to whom, and on what account all disbursements
 21 were made by him;

22 3. So keep his books that the amount received and paid
 23 out on account of separate funds or specific appropriations
 24 is exhibited in separate and distinct accounts, and the
 25 whole receipts and expenditures shown in one general or cash

1 account;

2 4. Enter no moneys received for the current year on his
 3 account with the county for the past fiscal year, until
 4 after his annual settlement for the past year has been made
 5 with the county clerk;

6 5. Disburse the county moneys only on county warrants
 7 issued by the county clerk, based on orders of the board of
 8 county commissioners, or as otherwise provided by law;

9 6. Keep all school moneys in a separate fund, and keep
 10 a separate account of their disbursement to the several
 11 school districts which are entitled to receive them,
 12 according to the apportionment of the county superintendent
 13 of common schools;

14 7. Notify the county superintendent of the amount of
 15 the county school fund in the county treasury subject to
 16 apportionment, whenever required, and inform him of the
 17 amount of school moneys belonging to any other fund subject
 18 to apportionment, or as otherwise provided by law;

19 8. Pay all warrants drawn on county or district school
 20 moneys, in accordance with the provisions of law, whenever
 21 such warrants are countersigned by the district clerk and
 22 properly endorsed by the holders;

23 9. Make, annually, during the month of September of
 24 each year, a financial report for the last preceding year
 25 ending with August 31st, to the county superintendent in

1 such form as may be required by him."

-End-

Approved by Comm.
on Local Government

HOUSE BILL NO. 197

INTRODUCED BY FAGG, GERKE, LORY, KIMBLE, MURPHY

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE STATUTE PERTAINING TO URBAN RENEWAL AREA FINANCING TO PROVIDE FOR THE ANNEXATION OR OTHER INCLUSION OF THE URBAN RENEWAL AREA IN DIFFERENT TAXING JURISDICTIONS; TO PROVIDE THAT THE ENTIRE TAXABLE VALUE OF THE URBAN RENEWAL AREA MUST BEAR THE BURDEN OF BONDED INDEBTEDNESS OF ALL TAXING JURISDICTIONS WITHIN WHICH IT LIES; TO LIMIT THE APPLICATION OF TAX LEVIES TO THE ACTUAL TAXABLE VALUE OF THE URBAN RENEWAL AREA UNTIL THE ACTUAL VALUE EXCEEDS THE TAXABLE VALUE OF THE LAST TAX YEAR PRIOR TO THE ESTABLISHMENT OF THE URBAN RENEWAL AREA; TO PROVIDE THAT TAX LEVIES SHALL APPLY AGAINST THE ACTUAL VALUE OF THE URBAN RENEWAL AREA AFTER ALL URBAN RENEWAL BONDS AND OTHER DEBTS HAVE BEEN RETIRED; TO BROADEN THE USES OF FUNDS GENERATED BY BONDS; TO AMEND THE DUTIES OF THE COUNTY TREASURER ACCORDINGLY; AND AMENDING SECTIONS 11-3921, 11-3925, AND 16-2601, R.C.M. 1947."

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

Section 1. Section 11-3921, R.C.M. 1947, is amended to read as follows:

"11-3921. Allocation of taxes. ~~Any urban renewal plan as defined in section 11-3901, R.C.M., 1947, may contain a~~

~~provision or be amended to contain a provision that taxes, if any, levied on taxable property in an urban renewal area each year by or for the benefit of any city which has the power to levy a tax shall, after the effective date of such provision, be allocated as follows:~~

~~(1) that portion of the taxes produced by the levies for such city upon the total sum of the assessed value of the taxable property in the urban renewal area as shown upon the assessment roll used in connection with the taxation of such property for such city last equalized prior to the effective date of the urban renewal plan shall be allocated to and when collected shall be paid into the funds of such city as taxes by or for such city on all other property are paid; and~~

~~(2) that portion of the levied taxes for such city each year in excess of such amount shall be allocated to and when collected, shall be paid into a special fund held by the city treasurer to pay the principal and interest on bonds, the issue of which is authorized by section 11-3910, R.C.M. 1947. (1) Any urban renewal plan, as defined in section 11-3901, may contain a provision or be amended to contain a provision providing that taxes levied on taxable property in an urban renewal area each year by or for the benefit of the state, any city, county, or other political subdivisions for which taxes are levied, (hereafter referred to as taxing~~

1 bodies) shall be allocated, after the effective date of such
 2 provision as provided in subsections (3) and (4) of this
 3 section.

4 (2) For the purposes of this section, (a) "prior
 5 assessed value" means the assessed value of the taxable
 6 property in the urban renewal area as shown on the
 7 assessment roll last equalized prior to the effective date
 8 of the urban renewal plan;

9 (b) the word "taxes" includes, but is not limited to,
 10 all levies on an ad valorem basis upon land or real
 11 property.

12 (3) The portion of taxes produced by levies for a
 13 taxing body upon the total sum of the prior assessed value
 14 of the taxable property in the urban renewal area shall be
 15 allocated and paid into the funds of the taxing body like
 16 taxes paid by or for the taxing body on all other property.
 17 For the purpose of allocating taxes levied by a taxing body
 18 that did not include the urban renewal area on the effective
 19 date of the provision allocating the taxes but to which the
 20 urban renewal area has since been annexed or otherwise
 21 included, the assessment roll of the county last equalized
 22 prior to the effective date of the provision shall be used
 23 in determining the assessed valuation of the taxable
 24 property in the urban renewal area.

25 (4) The portion of taxes levied by such taxing body

1 each year in excess of the amount levied under subsection
 2 (3) shall be paid by the county treasurer into a special
 3 fund held by the city treasurer to pay the principal and
 4 interest on bonds issued under authority of section 11-3910,
 5 except that taxes for the payment of all bonds and interest
 6 of each taxing body must be levied against all taxable
 7 property within the taxing body without limitation by the
 8 provisions of this subsection. Until the actual assessed
 9 valuation of all property in the urban renewal area exceeds
 10 the prior assessed value of all taxable property within such
 11 area, the actual assessed value of all property shall be
 12 used for taxation purposes.

13 (5) The portion of taxes allocated in subsection (4)
 14 above, and the special fund into which they are paid, may be
 15 pledged by a municipality for the payment of the principal
 16 and interest on bonds issued under the authority of section
 17 11-3910, or bonded indebtedness, incurred by a municipality
 18 to refinance in whole or in part, the urban renewal project.

19 (6) After all bonds and interest have been paid, all
 20 monies received from taxes upon property within the urban
 21 renewal area shall be allocated as taxes on all other
 22 property."

23 Section 2. Section 11-3925, R.C.M. 1947, is amended to
 24 read as follows:

25 "11-3925. Use of funds generated by bonds. Money

1 generated by the sale of bonds for which funds are allocated
 2 pursuant to section ~~1-11-39211-of-this-act~~ may be used by a
 3 city only for improvement or construction of streets, curbs,
 4 gutters, sidewalks, pedestrian malls, alleys, parking lots,
 5 sewers, waterlines, ~~or~~ waterways, land acquisition,
 6 demolition, and removal of structures, redevelopment
 7 RELOCATION OF OCCUPANTS, or improvements."

8 Section 3. Section 16-2601, R.C.M. 1947, is amended to
 9 read as follows:

10 "16-2601. Duties of county treasurer. The county
 11 treasurer must:

12 1. Receive all moneys belonging to the county, and all
 13 other moneys by law directed to be paid to him, safely keep
 14 the same, and apply and pay them out, rendering account
 15 thereof as required by law;

16 2. Keep an account of the receipt and expenditures of
 17 all such moneys in books provided for the purpose, in which
 18 must be entered the amount, the time when, from whom, and on
 19 what account all moneys were received by him; the amount,
 20 time when, to whom, and on what account all disbursements
 21 were made by him;

22 3. So keep his books that the amount received and paid
 23 out on account of separate funds or specific appropriations
 24 is exhibited in separate and distinct accounts, and the
 25 whole receipts and expenditures shown in one general or cash

1 account;

2 4. Enter no moneys received for the current year on his
 3 account with the county for the past fiscal year, until
 4 after his annual settlement for the past year has been made
 5 with the county clerk;

6 5. Disburse the county moneys only on county warrants
 7 issued by the county clerk, based on orders of the board of
 8 county commissioners, or as otherwise provided by law;

9 6. Keep all school moneys in a separate fund, and keep
 10 a separate account of their disbursement to the several
 11 school districts which are entitled to receive them,
 12 according to the apportionment of the county superintendent
 13 of common schools;

14 7. Notify the county superintendent of the amount of
 15 the county school fund in the county treasury subject to
 16 apportionment, whenever required, and inform him of the
 17 amount of school moneys belonging to any other fund subject
 18 to apportionment, or as otherwise provided by law;

19 8. Pay all warrants drawn on county or district school
 20 moneys, in accordance with the provisions of law, whenever
 21 such warrants are countersigned by the district clerk and
 22 properly endorsed by the holders;

23 9. Make, annually, during the month of September of
 24 each year, a financial report for the last preceding year
 25 ending with August 31st, to the county superintendent in

1 such form as may be required by him."

-End-

HOUSE BILL NO. 197

INTRODUCED BY FAGG, GERKE, LORY, KIMBLE, MURPHY

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE STATUTE PERTAINING TO URBAN RENEWAL AREA FINANCING TO PROVIDE FOR THE ANNEXATION OR OTHER INCLUSION OF THE URBAN RENEWAL AREA IN DIFFERENT TAXING JURISDICTIONS; TO PROVIDE THAT THE ENTIRE TAXABLE VALUE OF THE URBAN RENEWAL AREA MUST BEAR THE BURDEN OF BONDED INDEBTEDNESS OF ALL TAXING JURISDICTIONS WITHIN WHICH IT LIES; TO LIMIT THE APPLICATION OF TAX LEVIES TO THE ACTUAL TAXABLE VALUE OF THE URBAN RENEWAL AREA UNTIL THE ACTUAL VALUE EXCEEDS THE TAXABLE VALUE OF THE LAST TAX YEAR PRIOR TO THE ESTABLISHMENT OF THE URBAN RENEWAL AREA; TO PROVIDE THAT TAX LEVIES SHALL APPLY AGAINST THE ACTUAL VALUE OF THE URBAN RENEWAL AREA AFTER ALL URBAN RENEWAL BONDS AND OTHER DEBTS HAVE BEEN RETIRED; TO BROADEN THE USES OF FUNDS GENERATED BY BONDS; TO AMEND THE DUTIES OF THE COUNTY TREASURER ACCORDINGLY; AND AMENDING SECTIONS 11-3921, 11-3925, AND 16-2601, R.C.M. 1947."

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

Section 1. Section 11-3921, R.C.M. 1947, is amended to read as follows:

"11-3921. Allocation of taxes. ~~Any urban renewal plan as defined in section 11-3901, R.C.M. 1947, may contain a~~

~~provision or be amended to contain a provision that taxes, if any, levied on taxable property in an urban renewal area each year by or for the benefit of any city which has the power to levy a tax, shall, after the effective date of such provision, be allocated as follows:~~

~~(1) that portion of the taxes produced by the levies for such city upon the total sum of the assessed value of the taxable property in the urban renewal area as shown upon the assessment roll used in connection with the taxation of such property for such city last equalized prior to the effective date of the urban renewal plan shall be allocated to and when collected shall be paid into the funds of such city as taxes by or for such city on all other property are paid; and~~

~~(2) that portion of the levied taxes for such city each year in excess of such amount shall be allocated to and when collected, shall be paid into a special fund held by the city treasurer to pay the principal and interest on bonds, the issue of which is authorized by section 11-3916, R.C.M. 1947. (1) Any urban renewal plan, as defined in section 11-3901, may contain a provision or be amended to contain a provision providing that taxes levied on taxable property in an urban renewal area each year by or for the benefit of the state, any city, county, or other political subdivisions for which taxes are levied, (hereafter referred to as taxing~~

1 bodies) shall be allocated, after the effective date of such
 2 provision as provided in subsections (3) and (4) of this
 3 section.

4 (2) For the purposes of this section, (a) "prior
 5 assessed value" means the assessed value of the taxable
 6 property in the urban renewal area as shown on the
 7 assessment roll last equalized prior to the effective date
 8 of the urban renewal plan;

9 (b) the word "taxes" includes, but is not limited to,
 10 all levies on an ad valorem basis upon land or real
 11 property.

12 (3) The portion of taxes produced by levies for a
 13 taxing body upon the total sum of the prior assessed value
 14 of the taxable property in the urban renewal area shall be
 15 allocated and paid into the funds of the taxing body like
 16 taxes paid by or for the taxing body on all other property.
 17 For the purpose of allocating taxes levied by a taxing body
 18 that did not include the urban renewal area on the effective
 19 date of the provision allocating the taxes but to which the
 20 urban renewal area has since been annexed or otherwise
 21 included, the assessment roll of the county last equalized
 22 prior to the effective date of the provision shall be used
 23 in determining the assessed valuation of the taxable
 24 property in the urban renewal area.

25 (4) The portion of taxes levied by such taxing body

1 each year in excess of the amount levied under subsection
 2 (3) shall be paid by the county treasurer into a special
 3 fund held by the city treasurer to pay the principal and
 4 interest on bonds issued under authority of section 11-3910,
 5 except that taxes for the payment of all bonds and interest
 6 of each taxing body must be levied against all taxable
 7 property within the taxing body without limitation by the
 8 provisions of this subsection. Until the actual assessed
 9 valuation of all property in the urban renewal area exceeds
 10 the prior assessed value of all taxable property within such
 11 area, the actual assessed value of all property shall be
 12 used for taxation purposes.

13 (5) The portion of taxes allocated in subsection (4)
 14 above, and the special fund into which they are paid, may be
 15 pledged by a municipality for the payment of the principal
 16 and interest on bonds issued under the authority of section
 17 11-3910, or bonded indebtedness, incurred by a municipality
 18 to refinance in whole or in part, the urban renewal project.

19 (6) After all bonds and interest have been paid, all
 20 monies received from taxes upon property within the urban
 21 renewal area shall be allocated as taxes on all other
 22 property."

23 Section 2. Section 11-3925, R.C.M. 1947, is amended to
 24 read as follows:

25 "11-3925. Use of funds generated by bonds. Money

1 generated by the sale of bonds for which funds are allocated
 2 pursuant to section ~~1-11-3921j-of-this-act~~ may be used by a
 3 city only for improvement or construction of streets, curbs,
 4 gutters, sidewalks, pedestrian malls, alleys, parking lots,
 5 sewers, waterlines, or waterways, land acquisition,
 6 demolition, and removal of structures, redevelopment
 7 RELOCATION OF OCCUPANTS, or improvements."

8 Section 3. Section 16-2601, R.C.M. 1947, is amended to
 9 read as follows:

10 "16-2601. Duties of county treasurer. The county
 11 treasurer must:

12 1. Receive all moneys belonging to the county, and all
 13 other moneys by law directed to be paid to him, safely keep
 14 the same, and apply and pay them out, rendering account
 15 thereof as required by law;

16 2. Keep an account of the receipt and expenditures of
 17 all such moneys in books provided for the purpose, in which
 18 must be entered the amount, the time when, from whom, and on
 19 what account all moneys were received by him; the amount,
 20 time when, to whom, and on what account all disbursements
 21 were made by him;

22 3. So keep his books that the amount received and paid
 23 out on account of separate funds or specific appropriations
 24 is exhibited in separate and distinct accounts, and the
 25 whole receipts and expenditures shown in one general or cash

1 account;

2 4. Enter no moneys received for the current year on his
 3 account with the county for the past fiscal year, until
 4 after his annual settlement for the past year has been made
 5 with the county clerk;

6 5. Disburse the county moneys only on county warrants
 7 issued by the county clerk, based on orders of the board of
 8 county commissioners, or as otherwise provided by law;

9 6. Keep all school moneys in a separate fund, and keep
 10 a separate account of their disbursement to the several
 11 school districts which are entitled to receive them,
 12 according to the apportionment of the county superintendent
 13 of common schools;

14 7. Notify the county superintendent of the amount of
 15 the county school fund in the county treasury subject to
 16 apportionment, whenever required, and inform him of the
 17 amount of school moneys belonging to any other fund subject
 18 to apportionment, or as otherwise provided by law;

19 8. Pay all warrants drawn on county or district school
 20 moneys, in accordance with the provisions of law, whenever
 21 such warrants are countersigned by the district clerk and
 22 properly endorsed by the holders;

23 9. Make, annually, during the month of September of
 24 each year, a financial report for the last preceding year
 25 ending with August 31st, to the county superintendent in

i such form as may be required by him."

-End-

April 2, 1975

SENATE COMMITTEE OF THE WHOLE

AMENDMENTS TO HOUSE BILL NO. 197

That House Bill No. 197, be amended as follows:

Amend Senate Committee on Taxation Amendments, dated March 29, 1975,
as follows:

1. Amend amendment No. 3, insertion paragraph, line 3.
Following: "owners"
Strike: "or"
Insert: "of"
-

HOUSE BILL NO. 197

INTRODUCED BY FAGG, GERKE, LORY, KIMBLE, MURPHY

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE STATUTE PERTAINING TO URBAN RENEWAL AREA FINANCING TO PROVIDE FOR THE ANNEXATION OR OTHER INCLUSION OF THE URBAN RENEWAL AREA IN DIFFERENT TAXING JURISDICTIONS; TO PROVIDE THAT THE ENTIRE TAXABLE VALUE OF THE URBAN RENEWAL AREA MUST BEAR THE BURDEN OF BONDED INDEBTEDNESS OF ALL TAXING JURISDICTIONS WITHIN WHICH IT LIES; TO LIMIT THE APPLICATION OF TAX LEVIES TO THE ACTUAL TAXABLE VALUE OF THE URBAN RENEWAL AREA UNTIL THE ACTUAL VALUE EXCEEDS THE TAXABLE VALUE OF THE LAST TAX YEAR PRIOR TO THE ESTABLISHMENT OF THE URBAN RENEWAL AREA; TO PROVIDE THAT TAX LEVIES SHALL APPLY AGAINST THE ACTUAL VALUE OF THE URBAN RENEWAL AREA AFTER ALL URBAN RENEWAL BONDS AND OTHER DEBTS HAVE BEEN RETIRED; TO BROADEN THE USES OF FUNDS GENERATED BY BONDS; TO AMEND THE DUTIES OF THE COUNTY TREASURER ACCORDINGLY; AND AMENDING SECTIONS 11-3921, 11-3925, AND 16-2601, R.C.M. 1947."

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

Section 1. Section 11-3921, R.C.M. 1947, is amended to read as follows:

"11-3921. Allocation of taxes. ~~Any urban renewal plan as defined in section 11-3901, R.C.M. 1947, may contain a~~

~~provision or be amended to contain a provision that taxes, if any, levied on taxable property in an urban renewal area each year by or for the benefit of any city which has the power to levy a tax, shall after the effective date of such provision, be allocated as follows:~~

~~(1) that portion of the taxes produced by the levies for such city upon the total sum of the assessed value of the taxable property in the urban renewal area as shown upon the assessment roll used in connection with the taxation of such property for such city last equalized prior to the effective date of the urban renewal plan shall be allocated to and when collected shall be paid into the funds of such city as taxes by or for such city on all other property are paid; and~~

~~(2) that portion of the levied taxes for such city each year in excess of such amount shall be allocated to and when collected, shall be paid into a special fund held by the city treasurer to pay the principal and interest on bonds, the issue of which is authorized by section 11-3910, R.C.M. 1947.~~ (1) Any urban renewal plan, as defined in section 11-3901, may contain a provision or be amended to contain a provision providing that taxes levied on taxable property in an urban renewal area each year by or for the benefit of the state, any city, county, or other political subdivisions for which taxes are levied, (hereafter referred to as taxing

1 bodies) shall be allocated, after the effective date of such
 2 provision as provided in subsections (3) and (4) of this
 3 section.

4 (2) For the purposes of this section, (a) "prior
 5 assessed value" means the assessed value of the taxable
 6 property in the urban renewal area as shown on the
 7 assessment roll last equalized prior to the effective date
 8 of the urban renewal plan; NOTWITHSTANDING THE PROVISIONS OF
 9 THIS ACT, ANY INCREASE RESULTING FROM A COMPREHENSIVE
 10 REVALUATION OF ALL PROPERTY WITHIN THE COUNTY MAY BE APPLIED
 11 TO THE PROPERTY FOR THE PURPOSE OF DETERMINING THE "PRIOR
 12 ASSESSED VALUE";

13 (b) the word "taxes" includes, but is not limited to,
 14 all levies on an ad valorem basis upon land or real
 15 property.

16 (3) The portion of taxes produced by levies for a
 17 taxing body upon the total sum of the prior assessed value
 18 of the taxable property in the urban renewal area shall be
 19 allocated and paid into the funds of the taxing body like
 20 taxes paid by or for the taxing body on all other property.

21 For the purpose of allocating taxes levied by a taxing body
 22 that did not include the urban renewal area on the effective
 23 date of the provision allocating the taxes out to which the
 24 urban renewal area has since been annexed or otherwise
 25 included, the assessment roll of the county last equalized

1 prior to the effective date of the provision shall be used
 2 in determining the ~~assessed--valuation--of--the--taxable~~
 3 ~~property-in-the-urban-renewal-area~~ PRIOR ASSESSED VALUE.

4 (4) The portion of taxes levied by such taxing body
 5 each year in excess of the amount levied under subsection
 6 (3) shall be paid by the county treasurer into a special
 7 fund held by the city treasurer to pay the principal and
 8 interest on bonds issued under authority of section 11-3910,
 9 except that taxes for the payment of all bonds and interest
 10 of each taxing body must be levied against all taxable
 11 property within the taxing body without limitation by the
 12 provisions of this subsection. Until the actual assessed
 13 valuation of all property in the urban renewal area exceeds
 14 the prior assessed value of all taxable property within such
 15 area, the actual assessed value of all property shall be
 16 used for taxation purposes.

17 (5) The portion of taxes allocated in subsection (4)
 18 above, and the special fund into which they are paid, may be
 19 pledged by a municipality for the payment of the principal
 20 and interest on bonds issued under the authority of section
 21 11-3910, or bonded indebtedness, incurred by a municipality
 22 to refinance in whole or in part, the urban renewal project.
 23 PRIOR TO THE SALE OF ANY BONDS, THERE SHALL BE (A) AN
 24 ELECTION UNDER SECTIONS 11-2308 AND 11-2309 APPROVING SUCH
 25 SALE, OR (B) A PETITION FOR THE SALE SIGNED BY THE OWNERS OR

1 OF RECORD OF AT LEAST FIFTY-ONE PERCENT (51%) OF THE LAND
 2 WITHIN THE URBAN RENEWAL DISTRICT.

3 (6) After all bonds and interest have been paid, all
 4 moneys received from taxes upon property within the urban
 5 renewal area shall be allocated as taxes on all other
 6 property."

7 Section 2. Section 11-3925, R.C.M. 1947, is amended to
 8 read as follows:

9 "11-3925. Use of funds generated by bonds. Money
 10 generated by the sale of bonds for which funds are allocated
 11 pursuant to section ~~11-3921~~~~-of-this-act~~ may be used by a
 12 city only for improvement or construction of streets, curbs,
 13 gutters, sidewalks, pedestrian malls, alleys, parking lots,
 14 sewers, waterlines, ~~or~~ waterways, land acquisition,
 15 demolition, and removal of structures, redevelopment
 16 RELOCATION OF OCCUPANTS, or improvements. ALL BONDS
 17 FINANCED MUST BE SOLD WITHIN FIVE (5) YEARS AFTER THE
 18 ADOPTION OF THE ORIGINAL URBAN RENEWAL PLAN PRIOR TO THE
 19 ADOPTION OF ANY AMENDMENT."

20 Section 3. Section 16-2601, R.C.M. 1947, is amended to
 21 read as follows:

22 "16-2601. Duties of county treasurer. The county
 23 treasurer must:

24 1. Receive all moneys belonging to the county, and all
 25 other moneys by law directed to be paid to him, safely keep

1 the same, and apply and pay them out, rendering account
 2 thereof as required by law;

3 2. Keep an account of the receipt and expenditures of
 4 all such moneys in books provided for the purpose, in which
 5 must be entered the amount, the time when, from whom, and on
 6 what account all moneys were received by him; the amount,
 7 time when, to whom, and on what account all disbursements
 8 were made by him;

9 3. So keep his books that the amount received and paid
 10 out on account of separate funds or specific appropriations
 11 is exhibited in separate and distinct accounts, and the
 12 whole receipts and expenditures shown in one general or cash
 13 account;

14 4. Enter no moneys received for the current year on his
 15 account with the county for the past fiscal year, until
 16 after his annual settlement for the past year has been made
 17 with the county clerk;

18 5. Disburse the county moneys only on county warrants
 19 issued by the county clerk, based on orders of the board of
 20 county commissioners, or as otherwise provided by law;

21 6. Keep all school moneys in a separate fund, and keep
 22 a separate account of their disbursement to the several
 23 school districts which are entitled to receive them,
 24 according to the apportionment of the county superintendent
 25 of common schools;

1 7. Notify the county superintendent of the amount of
2 the county school fund in the county treasury subject to
3 apportionment, whenever required, and inform him of the
4 amount of school moneys belonging to any other fund subject
5 to apportionment, or as otherwise provided by law;

6 8. Pay all warrants drawn on county or district school
7 moneys, in accordance with the provisions of law, whenever
8 such warrants are countersigned by the district clerk and
9 properly endorsed by the holders;

10 9. Make, annually, during the month of September of
11 each year, a financial report for the last preceding year
12 ending with August 31st, to the county superintendent in
13 such form as may be required by him."

-End-