

CHAPTER NO. 105.

SENATE BILL NO. 257

INTRODUCED BY THIESSEN, KVAALLEN, OLSON, DAY, WOOD,
E. SMITH, H. ROBBINS, WILLIAMS, WYRICK, K. ROBBINS

IN THE SENATE

January 25, 1979	Introduced and referred to Committee on Local Government.
February 7, 1979	Committee recommend bill do pass. Report adopted.
February 8, 1979	Printed and placed on members' desks.
February 9, 1979	Second reading, do pass.
February 10, 1979	Considered correctly engrossed.
February 12, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 13, 1979	Introduced and referred to Committee on Local Government.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 5, 1979	Second reading, concurred in.
March 7, 1979	Third reading, concurred in.

IN THE SENATE

March 8, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 *Senet* BILL NO. *257*
 2 INTRODUCED BY *Thines Krauter Olson Day*
 3 *E. Smith H. Robbins Williams* *Word*
 4 *Wyuck*
 5 *Robbins*

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A BOARD
 7 OF COUNTY COMMISSIONERS MAY ALLOCATE TO THE COUNTY ROAD FUND
 8 50% OF THE PROCEEDS FROM LEASES BY THE COUNTY OF OIL AND GAS
 9 INTERESTS; AMENDING SECTION 7-8-2306, MCA."

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

11 NEW SECTION. Section 1. Allocation of proceeds of oil
 12 and gas leases and reserved royalty interests to county road
 13 fund. Each board of county commissioners may allocate to the
 14 county road fund not more than 50% of the proceeds from oil
 15 and gas leases entered into and royalty interests reserved
 16 under Title 82, chapter 10, part 2.

17 Section 2. Section 7-8-2306, MCA, is amended to read:

18 "7-8-2306. Distribution of sale and lease proceeds.
 19 The proceeds of every sale or lease under this part or part
 20 25 shall be paid over to the county treasurer, who shall
 21 apportion and distribute the same in the following manner:

22 (1) (a) Upon a sale of such property, the proceeds of
 23 each sale up to the amount of \$10 shall be credited to the
 24 county general fund to reimburse such for expenditures made
 25 therefrom in connection with the procurement of the tax deed
 and holding of the sale.

1 (b) Upon a sale of the property, if there be any
 2 amount remaining of such proceeds after the payment of the
 3 amount specified in subsection (1)(a) and such remainder is:

4 (i) in excess of the aggregate amount of all taxes and
 5 assessments accrued against such property for all funds and
 6 purposes, without penalty and interest, then so much of such
 7 remaining proceeds shall be credited to each fund or purpose
 8 as the same would have received had such taxes been paid
 9 before becoming delinquent, and all excess shall be credited
 10 to the general fund of the county; or

11 (ii) is less in amount than the aggregate amount of all
 12 taxes and assessments accrued against such property for all
 13 funds and purposes, without penalty or interest, such
 14 proceeds shall be prorated between such funds and purposes
 15 in the proportion that the amount of taxes and assessments
 16 accrued against such property for each such fund or purpose
 17 bears to the aggregate amount of taxes and assessments
 18 accrued against such property for all funds and purposes.

19 (2) Whenever tax-deed lands have been sold and the
 20 county has reserved a royalty interest, any sums of money
 21 received from such royalty interest shall be credited to the
 22 general fund of the county ~~except that the board of county~~
 23 ~~commissioners may allocate to the county road fund not more~~
 24 ~~than 50% of the money received from reserved royalty~~
 25 ~~interests.~~

LC 0478/01

1 (3) Upon a lease of the property, ~~except as otherwise~~
2 ~~provided,~~ the amount received as rent, royalty, or
3 otherwise, including interest received on the payments under
4 either a sale or lease, shall be apportioned on the current
5 year's levy and shall be credited as earnings of tax-deed
6 property and not considered as a credit to tax-deed accrued
7 accounts as in the case of the principal received from sales
8 of tax-deed lands."

-End-

Approved by Comm.
on Local Government

1 *Spice* BILL NO. *257*
 2 INTRODUCED BY *Thomas Krauter Olson Day*
 3 *E. Smith H. Robbins Williams Wood*
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SB 0257/02

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