

SENATE BILL 330

IN THE SENATE

February 1, 1979

Introduced and referred to  
Committee on Local Government.

February 14, 1979

Committee recommend bill, do  
not pass, as amended.

1 *Legis* BILL NO. 330  
 2 INTRODUCED BY *Van Valkenburg*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE ENFORCEMENT  
 5 OF THE MONTANA SUBDIVISION AND PLATTING ACT BY THE ATTORNEY  
 6 GENERAL WHEN THE COUNTY ATTORNEY FAILS TO ACT; AMENDING  
 7 SECTION 76-3-301, MCA."  
 8

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

10 Section 1. Section 76-3-301, MCA, is amended to read:

11 "76-3-301. General restriction on transfer of title to  
 12 subdivided lands. (1) Except as provided in 76-3-303, every  
 13 final subdivision plat must be filed for record with the  
 14 county clerk and recorder before title to the subdivided  
 15 land can be sold or transferred in any manner. The clerk and  
 16 recorder of the county shall refuse to accept any plat for  
 17 record that fails to have the approval of 76-3-611(1) in  
 18 proper form.

19 (2) If illegal transfers of any manner are made, the  
 20 county attorney shall commence action to enjoin further  
 21 sales or transfers and compel compliance with all provisions  
 22 of this chapter. If the county attorney fails to commence  
 23 action within 30 days after receiving written notification  
 24 of the violation, the attorney general shall commence the  
 25 necessary action. The cost of such action shall be imposed

1 against the person transferring the property."

-End-

-2- SB 330  
 INTRODUCED BILL