

House Bill 447

In The House

January 23, 1981	Introduced and referred to Committee on Local Government.
February 14, 1981	Committee recommed bill do pass as amended.
February 16, 1981	Bill printed and placed on members' desks.
February 17, 1981	Second reading do pass.
February 18, 1981	Correctly engrossed.
February 19, 1981	Third reading passed.

In The Senate

February 20, 1981	Introduced and referred to Committee on Taxation.
March 18, 1981	Committee recommend bill not concurred.

In The House

March 19, 1981	Returned from Senate not concurred.
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1 HOUSE BILL NO. 447  
2 INTRODUCED BY David Otter, Aaron W. Anderson

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ADDITIONAL  
5 ALTERNATIVES FOR THE ASSESSMENT OF COSTS FOR IMPROVEMENT  
6 DISTRICTS; AMENDING SECTION 7-12-4162, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 7-12-4162, MCA, is amended to read:

10 "7-12-4162. Assessment of costs -- area, lot, and  
11 taxable valuation options. option (1) The city council or  
12 commission shall assess the entire cost of such improvements  
13 against the entire district, using one of the following  
14 methods:

15 (a) each lot or parcel of land within such district to  
16 may be assessed for that part of the whole cost which its  
17 area bears to the area of the entire district, exclusive of  
18 streets, avenues, alleys, and public places;

19 (b) if the city council or commission determines that  
20 the benefits derived from the improvements by each lot or  
21 parcel are substantially equivalent, the cost may be  
22 assessed equally to each lot or parcel located within the  
23 district without regard to the area of the lot or parcel; or

24 (c) by resolution, the city council or commission may  
25 adopt an ordinance stating that taxable valuation shall be

1 used as the criteria for assessing costs.

2 (2) The council or commission, in its discretion,  
3 shall have the power to pay the whole or any part of the  
4 cost of any street, avenue, or alley intersection out of any  
5 funds in its hands available for that purpose or to include  
6 the whole or any part of such costs within the amount of the  
7 assessment to be paid by the property in the district.

8 (3) In order to equitably apportion the cost of any of  
9 the improvements herein provided for between that land  
10 within the district which lies within 25 feet of the line of  
11 the street on which the improvement is to be made and all  
12 other land within the district, the council or commission  
13 may, in the resolution creating any improvement district,  
14 provide that the amount of the assessment against the  
15 property in such district to defray the cost of such  
16 improvements shall be so assessed that each square foot of  
17 land within the district lying within 25 feet of the line of  
18 the street on which the improvements therein provided for  
19 are made shall bear double the amount of cost of such  
20 improvements per square foot of such land that each square  
21 foot of any other land within the district shall bear."

-End-

Approved by Comm.  
on Local Government

HOUSE BILL NO. 447

INTRODUCED BY D. O'HARA, ANDREASON, WINSLOW

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ADDITIONAL ALTERNATIVES FOR THE ASSESSMENT OF COSTS FOR IMPROVEMENT DISTRICTS; AMENDING SECTION 7-12-4162, MCA."

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

Section 1. Section 7-12-4162, MCA, is amended to read:

"7-12-4162. Assessment of costs -- area, lot, and taxable valuation options option. (1) The city council or commission shall assess the entire cost of such improvements against the entire district, using one OR A COMBINATION of the following methods:

(a) each lot or parcel of land within such district to may be assessed for that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places;

(b) if the city council or commission determines that the benefits derived from the improvements by each lot or parcel are substantially equivalent, the cost may be assessed equally to each lot or parcel located within the district without regard to the area of the lot or parcel; or

(c) by resolution, the city council or commission may adopt an ordinance stating that taxable valuation shall be

used as the criteria CRITERION for assessing costs.

(2) The council or commission, in its discretion, shall have the power to pay the whole or any part of the cost of any street, avenue, or alley intersection out of any funds in its hands available for that purpose or to include the whole or any part of such costs within the amount of the assessment to be paid by the property in the district.

(3) In order to equitably apportion the cost of any of the improvements herein provided for between that land within the district which lies within 25 feet of the line of the street on which the improvement is to be made and all other land within the district, the council or commission may, in the resolution creating any improvement district, provide that the amount of the assessment against the property in such district to defray the cost of such improvements shall be so assessed that each square foot of land within the district lying within 25 feet of the line of the street on which the improvements therein provided for are made shall bear double the amount of cost of such improvements per square foot of such land that each square foot of any other land within the district shall bear."

-End-

SECOND READING

## 1 HOUSE BILL NO. 447

2 INTRODUCED BY D. O'HARA, ANDREASON, WINSLOW

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ADDITIONAL  
5 ALTERNATIVES FOR THE ASSESSMENT OF COSTS FOR IMPROVEMENT  
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18 streets, avenues, alleys, and public places;

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4 cost of any street, avenue, or alley intersection out of any  
5 funds in its hands available for that purpose or to include  
6 the whole or any part of such costs within the amount of the  
7 assessment to be paid by the property in the district.

8 (3) In order to equitably apportion the cost of any of  
9 the improvements herein provided for between that land  
10 within the district which lies within 25 feet of the line of  
11 the street on which the improvement is to be made and all  
12 other land within the district, the council or commission  
13 may, in the resolution creating any improvement district,  
14 provide that the amount of the assessment against the  
15 property in such district to defray the cost of such  
16 improvements shall be so assessed that each square foot of  
17 land within the district lying within 25 feet of the line of  
18 the street on which the improvements therein provided for  
19 are made shall bear double the amount of cost of such  
20 improvements per square foot of such land that each square  
21 foot of any other land within the district shall bear."

-End-

THIRD READING