SENATE BILL NO. 221

INTRODUCED BY VAN VALKENBURG

IN THE SENATE

January 21, 1981	Introduced and referred to Committee on Taxation.
March 9, 1981	Committee recommend bill do pass as amended. Report adopted.
March 10, 1981	Bill printéd and placed on members' desks.
March 11, 1981	Second reading, do pass.
March 12, 1981	Correctly engrossed,
March 13, 1981	Third reading, passed. Ayes, 47; Noes, 0. Transmitted to House.
IN	THE HOUSE
March 14, 1981	Introduced and referred to Committee on Local Government.
March 25, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Second reading, concurred in.
March 30, 1981	On motion rules suspended and bill allowed to be transmitted on the 71st legislative day. Motion adopted.
March 31, 1981	Third reading, concurred in as amended. Ayes, 98; Noes, 0.

IN THE SENATE

April	1, 1981	Returned from House with amendments.
April	3, 1981	Second reading, pass con- sideration until April 6, 1981.
April	10, 1981	Second reading, pass con- sideration.
April	11, 1981	Second reading, amendments not concurred in.
April	13, 1981	On motion Conference Committee requested and appointed.
April	14, 1981	Conference Committee dissolved.
		On motion new Free Conference Committee requested and appointed.
April	16, 1981	Free Conference Committee reported.
April	17, 1981	Second reading, Free Confer- ence Committee report adopted.
		Third reading, Free Confer- ence Committee report adopted. Ayes, 45; Noes, 0. Trans- mitted to House.

IN THE HOUSE

April 21, 1981

Pree Conference Committee report adopted.

IN THE SENATE

April 22, 1981

Returned from House. Sent to enrolling.

Reported correctly enrolled.

LC 0936/01

INTRODUCED BILL

SB 22

1 2 INTRODUCED BY UL USKAMY 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY

5 THE LAWS RELATING TO SPECIAL IMPROVEMENT DISTRICTS; AMENDING 6 SECTIONS 7-12-4188, 7-12-4202, 7-12-4203, 15-16-102, AND 7 15-16-103, MCA.*

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Section 7-12-4188, MCA, is amended to read: #7-12-4188. Due date for district assessments. (1) All 11 special assessments or installments of special assessments 12 in cities and towns, duly and regularly levied by resolution 13 according to law, shall be payable on or before 6 5 p.m. on 14 November 30 of each year except as provided in subsection 15 16 {2}.

17 (2) The governing body of a municipality may provide 18 by resolution that one-half of the payment on special 19 assessments, or installments of special assessments may be 20 deferred to no later than 5 p.m. on May 31 of the following 21 year.

(3) In the event the same are not paid on or before
said date, the same shall be subject to the same interest
and penalties for nonpayment as are-or-may-hereafter-be
provided--by--the--laws--of--Montana--for--other delinguent

1 property taxes under 15-16-102."

2	Section 2. Section 7-12-4202, MCA, is amended to read:
3	<pre>"7-12-4202• Form of bond or warrant• Such bonds or</pre>
4	warrants shall be drawn in substantially the following form:
5	District No
6	United States of America
7	State of Montana
8	Warrant or Dollars
9	(Bond No) \$
10	Interest at the rate of ••••% per annum, payable <u>annually</u>
11	<u>(pr</u> semiannually <u>)</u> .
12	Special Improvement District Coupon Warrant or Bond
13	•••••• Montana
14	Issued by the city of ••••• Hontana
15	The treasurer of the city of ••••• Montana, will pay to
16	bearer the sum of dollars as authorized by resolution
17	
11	No as passed on the day of, 19, creating
18	No as passed on the day of, 19, creating special improvement district No for the construction
18	special improvement district No for the construction
18 19	special improvement district No for the construction of the improvements and the work performed as authorized by
18 19 20	special improvement district No for the construction of the improvements and the work performed as authorized by said resolution to be done in said district, and all laws,
18 19 20 21	special improvement district No for the construction of the improvements and the work performed as authorized by said resolution to be done in said district, and all laws, resolutions, and ordinances relating thereto, in payment of
18 19 20 21 22	special improvement district No for the construction of the improvements and the work performed as authorized by said resolution to be done in said district, and all laws, resolutions, and ordinances relating thereto, in payment of the contract in accordance therewith. The principal and
18 19 20 21 22 23	special improvement district No for the construction of the improvements and the work performed as authorized by said resolution to be done in said district, and all laws, resolutions, and ordinances relating thereto, in payment of the contract in accordance therewith. The principal and interest of this warrant (or bond) are payable at the office

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....* per annum from the day of registration of this warrant 1 2 (or bond), as expressed herein, until the date called for З redemption by the city treasurer. The interest on this 4 warrant (or bond) is payable <u>annually (or semiannually)</u> on the first day of in each year Land on the first day of 5 6 in each yearly commencing assault 19444 unless paid 7 previous thereto, and as expressed by the interest coupons 8 hereto attached, which bear the engraved facsimile signature 9 of the mayor and city clerk.

10 This warrant (or bond) is payable from the collection 11 of a special tax or assessment which is a lien against the 12 real estate within said improvement district, as described 13 in said resolution hereinbefore referred to.

14 This warrant (or bond) is redeemable at the option of 15 the city at any time there are funds to the credit of said special improvement district fund for the redemption thereof 16 17 and in the manner provided for the redemption of the same. It is hereby certified and recited that all things 18 19 required to be done precedent to the issuance of this * 20 warrant (or bond) have been properly done, happened and been ۴ 21 performed in the manner prescribed by the laws of the state 22 of Montana and the resolutions and ordinances of the city of 23, Montana, relating to the issuance thereof.

24 (seal)

25 Dated at, Montanay this day of, 19...

1	City of Montana
2	By:
3	
4	Registered at the office of the city treasurer of,
5	Montana, this day of, 19
6	••••••••••••••••••••••••••••••• City Treasurer"
7	Section 3. Section 7-12-4203, MCA, is amended to read:
8	<pre>"7-12-4203. Details relating to special improvement</pre>
9	district bonds and warrants. (1) The bonds and warrants
10	shall be drawn against the special improvement district fund
11	created for the district and shall bear interest from the
12	date of registration until called for redemption or paid in
13	full. The interest shall be payable <u>annually or</u> semiannually
14	ondonuorylandonthefirst-day-of-duly-of-each-year
15	unless-the-council-preseribes-other-dates <u>, at the discretion</u>
16	of the governing body of the gunicipality, on such dates as
17	the governing body prescribes. Such warrants (or bonds)
18	shall bear the signatures of the mayor and clerk and shall
19	bear the corporate seal of the city. They shall be
20	registered in the office of the clerk and treasurer, and if
21	interest coupons be attached thereto, they shall also be so
22	registered and shall bear the signatures of the mayor and
23	clerk.

24 (2) Said bonds shall be in denominations of \$100 or
25 fractions or multiples thereof, may be issued in

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installments, and may extend over a period not to exceed 20

2 years."

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3 Section 4. Section 15-16-102, NCA, is amended to read: 4 "15-16-102. Time for payment -- penalty for 5 delinquency. All taxes levied and assessed in the state of 6 Montana, except on-municipal--special--improvement--district 7 bonds--sold--on--or-before-duly-iy-1979 assessments made for 8 special_improvements__in__cities__and__towns__payable__under 9 15-16-103, shall be payable as follows:

10 (1) One-half of the amount of such taxes shall be
11 payable on or before 5 p.m. on November 30 of each year and
12 one-half on or before 5 p.m. on May 31 of each year.

13 (2) Unless one-half of such taxes are paid on or 14 before 5 p.m. on November 30 of each year, then such amount 15 so payable shall become delinquent and shall draw interest 16 at the rate of 2/3 of 1% per month from and after such 17 delinquency until paid, and 2% shall be added to the amount 18 thereof as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on
May 31 of each year shall be delinquent and shall draw
interest at the rate of 2/3 of 1% per month from and after
such delinquency until paid, and 2% shall be added to the
amount thereof as a penalty."

24Section 5. Section 15-16-103, MCA, is amended to read:25"15-16-103. Special improvement districts with annual

interest payments _= collection of special assessments for 1 all special improvements. (1) Special assessments or 2 installments of special assessments made for special 3 improvements in towns and cities, the bonds for which annual 4 interest payments have been specified and that have been 5 duly and regularly made and levied by resolution according 6 to law, shall be payable on or before 5 p.m. on November 30 7 of each year, and in the event the same are not paid on or 8 before said date, the same shall be subject to the same 0 interest and penalty for nonpayment as are-or-may-hereafter 10 be-provided-by-the-laws-of-the-state-of--Montana--for--other 11 delinquent property taxes under 15-16-102-12 (2) The collection thereof of special assessments or 13 installments of special assessments made for special 14

14 Installments of aperial managements model in provided by 7-12-4181 as the same is now in force or may be hereafter amended."

-End-

LC 0936/01

- SB 221

47th Legislature

SB 0221/02

Approved by Committee on <u>Taxation</u>

l	SENATE BILL NO. 221	1
2	INTRODUCED BY VAN VALKENBURG	2
3		3
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY	4
5	THE LAWS RELATING TO SPECIAL IMPROVEMENT DISTRICTS; AMENDING	5
6	SECTIONS 7-12-4188, 7-12-4202, 7-12-4203, 15-16-102, AND	6
7	15-16-103, MCA."	7
8		8
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9
10	Section 1. Section 7~12-4188, MCA, is amended to read:	10
11	"7-12-4188. Due date for district assessments. (1) All	11
12	special assessments or installments of special assessments	12
13	in cities and towns, duly and regularly levied by resolution	13
14	according to law, shall be payable on or before 6 5 p.m. on	14
15	November 30 of each year except as provided in subsection	15
16	(2)+	16
17	(2) The governing body of a municipality may provide	17
18	by resolution that one-half of the payment on special	18
19	assessments, or installments of special assessments may be	19
20	deferred to no later than 5 p.m. on May 31 of the following	20
21	year.	21
22	(3) In the event the same are not paid on or before	22
23	said date, the same shall be subject to the same interest	23
24	and penalties for nonpayment as are-or-may-hereafter-be	24
25	providedbythelaws-ofMontanaforother _ delinguent	25

. property taxes under 15-16-102.* Section 2. Section 7-12-4202, MCA, is amended to read: *7-12-4202 • Form of bond or warrant• Such bonds or warrants shall be drawn in substantially the following form: District No. United States of America State of Montana Warrant or Dollars (Bond No.) \$ Interest at the rate of per annum, payable annually (or semiannually). Special Improvement District Coupon Warrant or Bond ++++ Montana Issued by the city of Montana The treasurer of the city of Montana, will pay to bearer the sum of dollars as authorized by resolution No. as passed on the day of 19... creating special improvement district No. for the construction of the improvements and the work performed as authorized by said resolution to be done in said district, and all laws, resolutions, and ordinances relating thereto, in payment of the contract in accordance therewith. The principal and interest of this warrant (or bond) are payable at the office of the city treasurer of Montana.

5 This warrant (or bond) bears interest at the rate of

-2- SECOND READING

••••*% per annum from the day of registration of this warrant 1 (or bond), as expressed herein, until the date called for 2 redemption by the city treasurer. The interest on this 3 warrant (or bond) is payable annually (or semiannually) on 4 5 the first day of in each year (and on the first day of 6 •••• in each year), commencing •••• 1, 19••• unless paid previous thereto, and as expressed by the interest coupons 7 hereto attached, which bear the engraved facsimile signature 8 of the mayor and city clerk. 9

10 This warrant (or bond) is payable from the collection 11 of a special tax or assessment which is a lien against the 12 real estate within said improvement district, as described 13 in said resolution hereinbefore referred to.

14 This warrant (or bond) is redeemable at the option of the city at any time there are funds to the credit of said 15 16 special improvement district fund for the redemption thereof 17 and in the manner provided for the redemption of the same. 18 It is hereby certified and recited that all things required to be done precedent to the issuance of this 19 warrant (or bond) have been properly done, happened and been 20 21 performed in the manner prescribed by the laws of the state of Montana and the resolutions and ordinances of the city of 22 ***** Montana, relating to the issuance thereof. 23

24 (seal)

25 Dated at Montana, this day of 19...

- 3 -

1	City of •••• Montana
Z	By: Mayor
3	••••••••••••••••••••••••••••••••••••••
4	Registered at the office of the city treasurer of •••••
5	Montana, this day of, 19
6	•••••• City Treasurer"
7	Section 3. Section 7-12-4203, MCA, is amended to read:
8	"7-12-4203. Details relating to special improvement
9	district bonds and warrants. (1) The bonds and warrants
10	shall be drawn against the special improvement district fund
11	created for the district and shall bear interest from the
12	date of registration until called for redemption or paid in
13	full. The interest shall be payable <u>annually or</u> semiannually
14	onJanuary1andonthefirst-day-of-duly-of-each-year
15	unless-the-council-prescribes-other-dotes <u>, at the discretion</u>
16	of the governing body of the municipality, on such dates as
17	the governing body prescribes. Such warrants (or bonds)
18	shall bear the signatures of the mayor and clerk and shall
19	bear the corporate seal of the city. They shall be
20	registered in the office of the clerk and treasurer, and if
21	interest coupons be attached thereto, they shall also be so
22	registered and shall bear the signatures of the mayor and
23	clerk.
24	(2) Said bonds shall be in denominations of \$100 or
25	fractions or multiples thereof, may be issued in

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installments, and may extend over a period not to exceed 20 1 2 vear 5.** з Section 4. Section 15-16-102, MCA+ is amended to read: "15-16-102" Time for payment --- penalty for 4 5 delinguency. All taxes levied and assessed in the state of Montana, except on-municipal--special--improvement--district 6 7 bonds--sold--on--or-before-duly-lr-1979 assessments_made_for 8 special improvements in cities and towns payable under 15-16-103, shall be payable as follows: 9 10 (1) One-half of the amount of such taxes shall be payable on or before 5 p.m. on November 30 of each year and 11 12 one-half on or before 5 p.m. on May 31 of each year. (2) Unless one-half of such taxes are paid on or 13 before 5 p.m. on November 30 of each year, then such amount 14 so payable shall become delinguent and shall draw interest 15 at the rate of 2/3 of 1% per month from and after such 16 delinguency until paid, and 2% shall be added to the amount 17 1 a thereof as a penalty. (3) All taxes due and not paid on or before 5 p.m. on 19 May 31 of each year shall be delinquent and shall draw 20 interest at the rate of 2/3 of 1% per month from and after 21 such delinguency until paid, and 2% shall be added to the 22 amount thereof as a penalty." 23

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Section 5. Section 15-16-103. MCA, is amended to read:
"15-16-103. Special improvement districts with annual

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1 interest payments -- collection of special assessments for 2 all special improvements. (1) Special assessments or 3 installments of special assessments made for special improvements in towns and cities, the bonds for which annual 4 5 interest payments have been specified and that have been duly and regularly made and levied by resolution according 6 7 to law, shall be payable AS FOLLOWS: 8 (A) ONE-HALF OF SUCH TAXES SHALL BE PAYABLE ON OF 9 before 5 p.m. on November 30 of each year, and in the event 10 the same are not paid on or before said date, the same shall 11 be subject to the same interest and penalty for nonpayment as are-or-may-hereafter-be-provided-by-the-laws-of-the-state 12 13 of---Montona--for--other delinquent property taxes under 14 15-16-102-15 (B) ONE-HALF OF SUCH TAXES SHALL BE PAYABLE ON UR 16 BEFORE 5 P.M. ON MAY 31 OF EACH YEAR+ AND IN THE EVENT THE 17 SAME ARE NOT PAID ON OR BEFORE SAID DATE, THE SAME SHALL BE 18 SUBJECT TO THE SAME INTEREST AND PENALTY FOR NONPAYMENT AS 19 DELINQUENT PROPERTY TAXES UNDER 15-16-102. 20 (2) The collection thereof of special assessments or 21 installments of special assessments made for special 22 improvements in towns and cities shall be had and made as 23 provided by 7-12-4181 as the same is now in force or may be 24 hereafter amended."

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-End-

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SB 0221/02

1 SENATE BILL NO. 221 2 INTRODUCED BY VAN VALKENBURG 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY 4 5 THE LAWS RELATING TO SPECIAL IMPROVEMENT DISTRICTS: AMENDING SECTIONS 7-12-4188+ 7-12-4202+ 7-12-4203+ 15-16-102+ AND 6 7 15-16-103. MCA." 8 9 BE, IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 7-12-4188, MCA, is amended to read: ्र 11 #7-12-4188. Due date for district assessments. (1) All 12 special assessments or installments of special assessments 13 in cities and towns, duly and regularly levied by resolution according to law, shall be payable on or before 6 5 p.m. on 14 November 30 of each year except as provided in subsection 15 16 (2) + 17 (2) The governing body of a municipality may provide by resolution that one-half of the payment on special 18 19 assessments, or installments of special assessments may be 20 deferred to no later than 5 p.m. on May 31 of the following 21 year. 22 (3) In the event the same are not paid on or before 23 said date, the same shall be subject to the same interest 24 and penalties for nonpayment as are-or-may-hereafter-be

provided--by--the--laws--of--Montana--for--other delinguent

1 property taxes under 15-16-102.*

2	Section 2. Section 7-12-4202, MCA, is amended to read:
3	"7-12-4202. Form of bond or warrant. Such bonds or
4	warrants shall be drawn in substantially the following form:
5	District No
6	United States of America
7	State of Montana
8	Warrant or Dollars
9	(Bond No) \$
10	Interest at the rate of ••••% per annum, payable <u>annually</u>
11	<u>{or</u> semiannually}.
12	Special Improvement District Coupon Warrant or Bond
13	••••• Montana
14	Issued by the city of ••••• Montana
15	The treasurer of the city of Montana, will pay to
16	bearer the sum of dollars as authorized by resolution
17	No as passed on the day oft 19 creating
18	special improvement district No for the construction
19	of the improvements and the work performed as authorized by
20	said resolution to be done in said district, and all laws,
21	resolutions, and ordinances relating thereto, in payment of
22	the contract in accordance therewith. The principal and
23	interest of this warrant (or bond) are payable at the office
24	of the city treasurer of Montana.
25	This warrant (or bond) bears interest at the rate of

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1% per annum from the day of registration of this warrant (or bond), as expressed herein, until the date called for 2 3 redemption by the city treasurer. The interest on this 4 warrant (or bond) is payable annually (or semiannually) on 5 the first day of even in each year (and on the first day. of 6 in each year), commencing 1, 19... unless paid 7 previous thereto, and as expressed by the interest coupons hereto attached, which bear the engraved facsimile signature 8 9 of the mayor and city clerk.

10 This warrant (or bond) is payable from the collection: 11 of a special tax or assessment which is a lien against: the 12 real estate within said improvement district, as described 13 in said resolution hereinbefore referred to.

14 This warrant (or bond) is redeemable at the option of 15 the city at any time there are funds to the credit of said 16 special improvement district fund for the redemption thereof 17 and in the manner provided for the redemption of the same. It is hereby certified and recited that all things 18 19 required to be done precedent to the issuance of this 20 warrant (or bond) have been properly done, happened and been 44 performed in themmanner preveribed by the laws of the state 1 22 of Montana and the resolutions and ordinances of the city of 23 Montana, relating to the issuance thereof.

24 (seal)

۳É

25 Dated at Montana, this day of 19...

1	City of Montana
2	By:
3	••••••••••••••••••••••••••••••••••••••
4	Registered at the office of the city treasurer of •••••
5	Montana, this day of 19
6	•••••• City Treasurer*
7	Section 3. Section 7-12+4203, MCA. is amended to read:
8 -	#7-12-4203. Details relating to special improvement
9	district bonds and warrants+ (1) The bonds and warrants
10	shall be drawn against the special improvement district fund
11	created for the district and shall bear interest from the
12	date of registration until called for redemption or paid in
13	full. The interest shall be payable <u>annually or</u> semiannually
14	onJanuarylandon+-thefirst-day-of-July-of-each-year
15	unless-the-council-prescribes-other-dates <u>, at the discretion</u>
16	of the governing body of the municipality, on such dates as
17	the governing body prescribes. Such warrants (or bonds)
18	shall bear the signatures of the mayor and clerk and shall
19	bear the corporate seal of the city. They, shall be
20	registered in the office of the clerk and treasurer, and if
21	interest coupons be attached thereto, they shall also be so
22	registered and shall bear the signatures of the mayor and
23	clerk.

24 (2) Said bonds shall be in denominations of \$100 or 25 fractions or multiples thereof, may be issued in

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1 installments, and may extend over a period not to exceed 20
2 vears."

3 Section 4. Section 15-16-102, MCA, is amended to read: 4 "15-16-102. Time for payment -- penalty for 5 delinquency. All taxes levied and assessed in the state of 6 Montana, except on-municipal--special--improvement--district 7 bonds--sold--on--or-before-duly-ty-1979 assessments made for 8 special improvements in cities and towns payable under 9 15-16-103, shall be payable as follows:

(1) One-half of the amount of such taxes shall be
payable on or before 5 p.m. on November 30 of each year and
one-half on or before 5 p.m. on May 31 of each year.

13 (2) Unless one-half of such taxes are paid on or 14 before 5 p.m. on November 30 of each year, then such amount 15 so payable shall become delinquent and shall draw interest 16 at the rate of 2/3 of 1% per month from and after such 17 delinquency until paid, and 2% shall be added to the amount 18 thereof as a penalty.

19 (3) All taxes due and not paid on or before $5 p \cdot m \cdot n$ 20 May 31 of each year shall be delinquent and shall draw 21 interest at the rate of 2/3 of 1% per month from and after 22 such delinquency until paid, and 2% shall be added to the 23 amount thereof as a penalty.^m

Section 5. Section 15-16-103. MCA, is amended to read:
 "15-16-103. Special improvement districts with annual

interest payments -- collection of special assessments for all special improvements. (1) Special assessments or installments of special assessments made for special improvements in towns and cities. the bonds for which annual interest payments have been specified and that have been duly and regularly made and levied by resolution according to law, shall be payable AS FOLLOWS:

B (A) ONE-HALF OF SUCH TAXES SHALL BE PAYABLE on or 9 before 5 p.m. on November 30 of each year; and in the event 10 the same are not paid on or before said date, the same shall 11 be subject to the same interest and penalty for nonpayment 12 as are-or-may-hereafter-be-provided-by-the-laws-of-the-state 13 of---Montana--for--other delinquent property taxes under 14 15-16-102.

15 (B) ONE-HALF OF SUCH TAXES SHALL BE PAYABLE ON OR 16 BEFORE 5 P.M. ON MAY 31 OF EACH YEAR, AND IN THE EVENT THE 17 SAME ARE NOT PAID ON OR BEFORE SAID DATE, THE SAME SHALL BE 18 SUBJECT TO THE SAME INTEREST AND PENALTY FOR NONPAYMENT AS 19 DELINQUENT PROPERTY TAXES UNDER 15-16-102. 20 (2) The collection thereof of special assessments or 21 installments of special assessments made for special 22 improvements in towns and cities shall be had and made as 23 provided by 7-12-4181 as the same is now in force or may be 24 hereafter amended."

-End-

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1 property taxes under 15-16-102." 1 SENATE BILL ND. 221 2 2 INTRODUCED BY VAN VALKENBURG 3 3 A SILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY 4 4 5 THE LAWS RELATING TO SPECIAL IMPROVEMENT DISTRICTS: AMENDING 5 SECTIONS 7-12-4188+ 7-12-4202+ 7-12-4203+ 15-16-102+ AND 6 6 7 7 15-16-103. MCA." 8 Warrant or 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 (Bond No.) 10 10 Section 1. Section 7-12-4188. MCA. is amended to read: 11 (or semiannually). "7-12-4188. Due date for district assessments. (1) All 11 special assessments or installments of special assessments 12 12 13 13 in cities and towns, duly and regularly levied by resolution 14 according to law, shall be payable on or before 6 5 p.m. on 14 15 15 November 30 of each year except as provided in subsection 16 16 (2)+ 17 [2] The governing body of a municipality may provide 17 18 18 by resolution that one-half of the payment on special assessments, or installments of special assessments may be 19 19 20 deferred to no later than 5 p.m. on May 31 of the following 20 21 21 year. 22 (3) In the event the same are not paid on or before 22 23 said date, the same shall be subject to the same interest 23 24 24 and penalties for nonpayment as are-or-may-hereafter-be 25 provided--by--the--laws--of--Montano--for--other delinguent 25 This warrant (or bond) bears interest at the rate of

Section 2. Section 7-12-4202. MCA. is amended to read: *7-12-4202. Form of bond or warrant. Such bonds or warrants shall be drawn in substantially the following form: District No. United States of America State of Montana Dollars \$ Interest at the rate of% per annum, payable annually Special Improvement District Coupon Warrant or Bond Montana Issued by the city of Montana The treasurer of the city of Montana, will pay to bearer the sum of dollars as authorized by resolution No. as passed on the day of 19... creating special improvement district No. for the construction of the improvements and the work performed as authorized by said resolution to be done in said district, and all laws, resolutions, and ordinances relating thereto, in payment of the contract in accordance therewith. The principal and interest of this warrant (or bond) are payable at the office of the city treasurer of ***** Montana.

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> > REFERENCE BILL

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1 per annum from the day of registration of this warrant 2 (or bond), as expressed herein, until the date called for redemption by the city treasurer. The interest on this 3 warrant (or bond) is payable <u>annually (or</u> semiannually) on 4 5 the first day of in each year [and on the first day of 6 in each year), commencing 1, 19..., unless paid 7 previous thereto, and as expressed by the interest coupons 8 hereto attached, which bear the engraved facsimile signature 9 of the mayor and city clerk.

10 This warrant (or bond) is payable from the collection 11 of a special tax or assessment which is a lien against the 12 real estate within said improvement district, as described 13 in said resolution hereinbefore referred to.

14 This warrant (or bond) is redeemable at the option of 15 the city at any time there are funds to the credit of said 16 special improvement district fund for the redemption thereof 17 and in the manner provided for the redemption of the same. 18 It is hereby certified and recited that all things 19 required to be done precedent to the issuance of this **Z**0 warrant (or bond) have been properly done, happened and been 21 performed in the manner prescribed by the laws of the state 22 of Montana and the resolutions and ordinances of the city of Z 3 Montana, relating to the issuance thereof.

24 (seal)

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25 Dated at Montana, this day of 19...

ι	City of ••••• Montana
2	By: Hayor
3	City Clerk
4	Registered at the office of the city treasurer of •••••
5	Nontanae this even day of evene 19
6	••••••• City Treasurer*
7	Section 3. Section 7-12-4203, MCA, is amended to read:
8	"7~12-4203• Details relating to special improvement
9	district bonds and warrants. (1) The bonds and warrants
10	shall be drawn against the special improvement district fund
11	created for the district and shall bear interest from the
12	date of registration until called for redemption or paid in
13	full. The interest shall be payable <u>annually or</u> semiannually
14	onJanuary1andonthefirst-day-of-duly-of-each-year
15	unless-the-council-prescribes-other-dates, at the discretion
16	of the governing body of the municipality, on such dates as
17	the governing body prescribes. Such warrants (or bonds)
18	shall bear the signatures of the mayor and clerk and shall
19	bear the corporate seal of the city. They shall be
20	registered in the office of the clerk and treasurer, and if
21	interest coupons be attached thereto, they shall also be so
22	registered and shall bear the signatures of the mayor and
23	clerk.

24 {2} Said bonds shall be in denominations of \$100 or
25 fractions or multiples thereof, may be issued in

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interest payments -- collection of special assessments for 1 installments, and may extend over a period not to exceed 20 all special improvements. (1) Special assessments or 2 installments of special assessments made for special ٦ Section 4. Section 15~16-102, MCA, is amended to read: 4 improvements in towns and cities, the bonds for which annual for interest payments have been specified and that have been 5 duly and regularly made and levied by resolution according 6 7 to law, shall be payable AS-FOLLOWS+ 8 tAT--BNE-HALF-OF-SUCH-TAXES--SHALL-BE--PATABLE ON OF before 5 p.m. on November 30 of each year, and in the event 9 the same are not paid on or before said date, the same shall 10 11 be subject to the same interest and penalty for nonpayment 12 as are-or-may-hereafter-be-arovided-by-the-laws-of-the-state of---Montana--for--other delinquent property taxes under 13 14 15-16-102+ +8+--ONE-HALF-OF-SUCH-TAXES--SHALL--BE--PAYABLE--ON--OR 15 16 SAME-ARE-NOT-PAID-ON-OR-BEFOKE-SAID-DATE+-THE-SAME-SHALL--BE 17 18 SUBJECT-THE-THE-SAME INTEREST-AND PENALTY-FOR-NONPAYMENT-AS 0ELINQUENT-PROPERTY-TAXE5-UNBER-15-16-102+ 19 (2) The collection thereof of special assessments or 20 installments of special assessments_made for_special 21 improvements in towns and cities shall be had and made as 22 23 provided by 7-12-4181 as the same is now in force or may be 24 hereafter amended." -End-

3 4 "15-16-102. Time for payment -- penalty 5 delinguency. All taxes levied and assessed in the state of 6 Montana, except on-municipal--special--improvement--district 7 bonds--sold--on--or-before-duly-ly-1979 assessments made for 8 special improvements in cities and towns payable under 9 15-16-103, shall be payable as follows:

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vears."

10 (1) One-half of the amount of such taxes shall be 11 payable on or before 5 p.m. on November 30 of each year and one-half on or before 5 p.m. on May 31 of each year. 12

13 (2) Unless one-half of such taxes are paid on or before 5 p.m. on November 30 of each year, then such amount 14 15 so payable shall become delinguent and shall draw interest 16 at the rate of 2/3 of 1% per month from and after such delinouency until paid, and 2% shall be added to the amount 17 18 thereof as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on 19 20 May 31 of each year shall be delinquent and shall draw 21 interest at the rate of 2/3 of 1% per month from and after 22 such delinguency until paid, and 2% shall be added to the 23 amount thereof as a penalty."

24 Section 5. Section 15-16-103, MCA, is amended to read: 25 "15-16-103• Special improvement districts with annual

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FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 221

(Report No. 1, April 16, 1981)

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Conference Committee on Senate Bill No. 221 met April 16, 1981, and considered:

House Local Government Committee Amendments to the third reading copy, dated March 24, 1981, and recommend as follows:

That the House recede from Standing Committee amendment nos. 1 and 2.

That Senate Bill No. 221 be further amended as specified in CLERICAL INSTRUCTION no. 3;

That the reference copy of Senate Bill No. 221 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Conference Committee Report to Senate Bill No. 221 be adopted.

CLERICAL INSTRUCTIONS:

l. Page 6, lines 7 and 8.
Following: "payable"
Insert: all stricken language.

2. Page 6, lines 15 through 19. Following: line 14. Insert: all stricken language.

3. Page 6, line 5.
Following: "specified"
Insert: "and that were issued after July 1, 1981."

HE SENAPE Chairman ott.

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1 SENATE BILL NO. 221 2 INTRODUCED BY VAN VALKENBURG 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY 4 THE LAWS RELATING TO SPECIAL IMPROVEMENT DISTRICTS; AMENDING 5 SECTIONS 7-12-4188, 7-12-4202, 7-12-4203, 15-16-102, AND 6 15-16-103+ MCA=" 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Section 7-12-4188, MCA, is amended to read: #7-12-4188. Due date for district assessments. (1) All 11 special assessments or installments of special assessments 12 13 in cities and towns, duly and regularly levied by resolution 14 according to law, shall be payable on or before 6 5 p-m. on 15 November 30 of each year except as provided in subsection 16 {2}. 17 (2) The governing body of a municipality may provide 18 by resolution that one-half of the payment on special

19 assessments, or installments of special assessments may be 20 deferred to no later than 5 p.m. on May 31 of the following 21 year.

22 (3) In the event the same are not paid on or before 23 said date, the same shall be subject to the same interest 24 and penalties for nonpayment as are-or-may-hereafter-be 25 provided--by--the--laws--of--Montana--for--other delinquent

1 property taxes under 15-16-102-"

2	Section 2. Section 7-12-4202, MCA, is amended to read:
3	♥7-12-4202. Form of bond or warrant. Such bonds or
4	warrants shall be drawn in substantially the following form:
5	District No
6	United States of America
7	State of Montana
8	Warrant or Dollars
9	(Bond No) \$
10	Interest at the rate of ••••% per annum, payable <u>annually</u>
11	<u>[or</u> semiannually]•
12	Special Improvement District Coupon Warrant or Bond
13	••••• Montana
14	Issued by the city of ••••• Montana
15	The treasurer of the city of, Montana, will pay to
16	bearer the sum of dollars as authorized by resolution
17	No as passed on the day of, 19, creating
18	special improvement district No for the construction
19	of the improvements and the work performed as authorized by
20	said resolution to be done in said district, and all laws,
21	resolutions, and ordinances relating thereto, in payment of
22	the contract in accordance therewith. The principal and
23	interest of this warrant (or hond) are payable at the office
24	of the city treasurer of ••••• Montana•
25	This warrant (or bond) bears interest at the rate of

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.....% per annum from the day of registration of this warrant 1 (or bond), as expressed herein, until the date called for 2 3 redemption by the city treasurer. The interest on this warrant (or bond) is payable annually (or semiannually) on 4 the first day of in each year (and on the first day of 5 in each year), commencing 1, 19... unless paid 6 7 previous thereto, and as expressed by the interest coupons hereto attached, which bear the engraved facsimile signature 8 9 of the mayor and city clerk.

10 This warrant (or bond) is payable from the collection 11 of a special tax or assessment which is a lien against the 12 real estate within said improvement district, as described 13 in said resolution hereinbefore referred to.

This warrant (or bond) is redeemable at the option of 14 15 the city at any time there are funds to the credit of said special improvement district fund for the redemption thereof 16 17 and in the manner provided for the redemption of the same. 18 It is hereby certified and recited that all things 19 required to be done precedent to the issuance of this 20 warrant (or bond) have been properly done, happened and been 21 performed in the manner prescribed by the laws of the state of Montana and the resolutions and ordinances of the city of 22, Montana, relating to the issuance thereof. 23

24 (seal)

25 Dated at Montana, this day of 19...

CITY OF ***** Montana
₿y:Mayor
••••••• City Clerk
Registered at the office of the city treasurer of
Montana, this day of, 19
••••••• City Treasurer"
Section 3. Section 7-12-4203, MCA, is amended to read:
"7-12-4203. Details relating to special improvement
district bonds and warrants. (1) The bonds and warrants
shall be drawn against the special improvement district fund
created for the district and shall bear interest from the
date of registration until called for redemption or paid in
full. The interest shall be payable <u>annually or</u> semiannually
onJanuarylandonthefirst-dsy-of-July-of-each-year
unless-the-council-prescribes-other-dates <u>, at the discretion</u>
of the governing body of the municipality, on such dates as
the governing body prescribes. Such warrants (or bonds)
shall bear the signatures of the mayor and clerk and shall
bear the corporate seal of the city. They shall be
registered in the office of the clerk and treasurer, and if
interest coupons be attached theretor they shall also be so
registered and shall bear the signatures of the mayor and
clerk.

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24 (2) Said bonds shall be in denominations of \$100 or
 25 fractions or multiples thereof, may be issued in

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1 installments, and may extend over a period not to exceed 20 2 years.^m

3 Section 4. Section 15-16-102, MCA, is amended to read: 4 "15-16-102. Time for payment -- penalty for 5 delinquency. All taxes levied and assessed in the state of 6 Montana, except on-municipal--special--improvement--district 7 bonds--sold--on--or-before-duly-ly-1979 assessments_made_for 8 special_improvements_in_cities_and_towns_payable_under 9 15-16-103, shall be payable as follows:

(1) Une-half of the amount of such taxes shall be
payable on or before 5 p.m. on November 30 of each year and
one-half on or before 5 p.m. on May 31 of each year.

13 (2) Unless one-half of such taxes are paid on or 14 before 5 p.m. on November 30 of each year, then such amount 15 so payable shall become delinquent and shall draw interest 16 at the rate of 2/3 of 1% per month from and after such 17 delinquency until paid, and 2% shall be added to the amount 18 thereof as a penalty.

19 (3) All taxes due and not paid on or before 5 p.m. on 20 May 31 of each year shall be delinquent and shall draw 21 interest at the rate of 2/3 of 1% per month from and after 22 such delinquency until paid, and 2% shall be added to the 23 amount thereof as a penalty."

Section 5. Section 15-16-103, MCA, is amended to read:
"15-16-103. Special improvement districts with annual

1 interest payments -- collection of special assessments for 2 all special improvements. (1) Special assessments or 3 installments of special assessments made for special 4 improvements in towns and cities, the bonds for which annual 5 interest payments have been specified AND_THAT_WERE_ISSUED 6 AFTER JULY 1, 1981, and that have been duly and regularly 7 made and levied by resolution according to law, shall be 8 payable #5-F8EE8W5+ AS FOLLOWS: 9 +A}--BNE-HALF---BF----SUEH---TAXES---SHALL---BE--PAYABLE 10 (A) _ONE-HALF OF SUCH TAXES SHALL BE_PAYABLE on or before 5 11 p.m. on November 30 of each year, and in the event the same 12 are not paid on or before said date, the same shall be 13 subject to the same interest and penalty for nonpayment as 14 are-or-may-hereafter-be-provided-by-the-laws-of-the-state-of 15 Montana-for-other delinquent property taxes under 15-16-102. 16 +B+--ONE-HAEF-OF-SUCH-TAXES--SHAEE--BE--PAYABEE--ON--OR 17 BEFBRE--5--PaMa-ON-MAX-31-BF-EACH-YEARy-AND-IN-THE-EVENT-THE 18 SAME-ARE-NOT-PAID-ON-OR-BEFORE-SAID-DATE+-THE-SAME-SHALL--BE 19 SUBJEET--FO--FHE-SAME-INFEREST-AND-PENALTY-FOR-NONPAYMENT-AS 20 BELINGUENT-PROPERTY-TAXES-UNBER-15-16-102-21 (B) ONE-HALF OF SUCH TAXES SHALL BE PAYABLE ON OR 22 BEFORE 5 P.M. ON MAY 31 OF EACH YEAR, AND IN THE EVENT THE 23 SAME ARE NOT PAID ON OR BEFORE SAID DATE, THE SAME SHALL BE 24 SUBJECT TO THE SAME INTEREST AND PENALTY FOR NONPAYMENT AS 25 **DELINQUENT PROPERTY TAXES UNDER 15-16-102.**

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1 <u>(2)</u> The collection thereof of special assessments or 2 installments of special assessments made for special 3 improvements in towns and cities shall be had and made as 4 provided by 7-12-4181 as the same is now in force or may be 5 hereafter amended."

-End-

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Local Government Committee March 24, 1981 Amendments to Senate Bill 221, third reading (blue) copy, as follows:

1. Page 6, lines 7 and 8.
Following: "payable"
Strike: "AS FOLLOWS:
(A) ONE-HALF OF SUCH TAXES SHALL BE PAYABLE"

2. Page 6, lines 15 through 19.
Following: line 14
Strike: subsection (B) in its entirety