

HOUSE BILL NO. 421

INTRODUCED BY THOFT

IN THE HOUSE

January 20, 1983	Introduced and referred to Committee on Local Government.
January 27, 1983	Committee recommend bill do pass. Report adopted.
January 28, 1983	Bill printed and placed on members' desks.
January 31, 1983	Second reading, do pass.
February 1, 1983	Considered correctly engrossed.
February 2, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 3, 1983	Introduced and referred to Committee on Local Government.
March 18, 1983	Committee recommend bill be concurrent in. Report adopted.
March 22, 1983	Second reading, concurred in.
March 24, 1983	Third reading, concurred in. Ayes, 47; Noes, 2.

IN THE HOUSE

March 24, 1983	Returned to House.
March 25, 1983	Sent to enrolling. Reported correctly enrolled.

1 House BILL NO. 421
 2 INTRODUCED BY [Signature]
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A TAX
 5 LEVY FOR THE FIREFIGHTERS' DISABILITY AND PENSION FUND
 6 IMPOSED BY A THIRD-CLASS CITY OR TOWN MUST BE MADE IN
 7 ADDITION TO THE ALL-PURPOSE MILL LEVY; AMENDING SECTIONS
 8 7-6-4453 AND 19-11-503, MCA; AND PROVIDING AN IMMEDIATE
 9 EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 7-6-4453, MCA, is amended to read:
 13 "7-6-4453. Certain special mill levies also available.
 14 (1) The all-purpose mill levy shall not and may not include
 15 the levies imposed for bonded indebtedness, to pay
 16 judgments, or for special improvement district revolving
 17 funds of municipalities, which levies may be made in
 18 addition to the all-purpose levy, as provided in subsection
 19 (2). Sections 7-6-4451 through 7-6-4455 shall not be
 20 construed as repealing those statutes providing for multiple
 21 separate levies.
 22 (2) Extraordinary levies otherwise authorized to pay
 23 for bonded indebtedness, judgments, or special improvement
 24 district revolving funds may be made by such municipalities
 25 in addition to such all-purpose levy provided in 7-6-4451

1 through 7-6-4455.

2 ~~(3) In a third-class city or town, the all-purpose~~
 3 ~~mill levy may not include the special tax levy for the~~
 4 ~~firefighters' disability and pension fund provided for in~~
 5 ~~19-11-503. This special tax levy must be made in addition to~~
 6 ~~the all-purpose mill levy."~~

7 Section 2. Section 19-11-503, MCA, is amended to read:
 8 "19-11-503. Special tax levy for fund required. (1)
 9 The purpose of this section is to provide a means by which
 10 each disability and pension fund may be maintained at a
 11 level equal to 3% of the taxable valuation of all taxable
 12 property within the limits of the city or town.

13 (2) Whenever the fund contains less than 3% of the
 14 taxable valuation of all taxable property within the limits
 15 of the city or town, the governing body of the city or town
 16 shall, at the time of the levy of the annual tax, levy a
 17 special tax as provided in 19-11-504. The special tax shall
 18 be collected as other taxes are collected and, when so
 19 collected, shall be paid into the disability and pension
 20 fund.

21 ~~(3) If a special tax for the disability and pension~~
 22 ~~fund is levied by a third-class city or town using the~~
 23 ~~all-purpose mill levy, the special tax levy must be made in~~
 24 ~~addition to the all-purpose levy."~~

25 NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-

1 House BILL NO. 421
2 INTRODUCED BY Staff
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A TAX
5 LEVY FOR THE FIREFIGHTERS' DISABILITY AND PENSION FUND
6 IMPOSED BY A THIRD-CLASS CITY OR TOWN MUST BE MADE IN
7 ADDITION TO THE ALL-PURPOSE MILL LEVY; AMENDING SECTIONS
8 7-6-4453 AND 19-11-503, MCA; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."

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

12 Section 1. Section 7-6-4453, MCA, is amended to read:

13 "7-6-4453. Certain special mill levies also available.

14 (1) The all-purpose mill levy shall not and may not include
15 the levies imposed for bonded indebtedness, to pay
16 judgments, or for special improvement district revolving
17 funds of municipalities, which levies may be made in
18 addition to the all-purpose levy, as provided in subsection
19 (2). Sections 7-6-4451 through 7-6-4455 shall not be
20 construed as repealing those statutes providing for multiple
21 separate levies.

22 (2) Extraordinary levies otherwise authorized to pay
23 for bonded indebtedness, judgments, or special improvement
24 district revolving funds may be made by such municipalities
25 in addition to such all-purpose levy provided in 7-6-4451

1 through 7-6-4455.

2 ~~(3) In a third-class city or town, the all-purpose~~
3 ~~mill levy may not include the special tax levy for the~~
4 ~~firefighters' disability and pension fund provided for in~~
5 ~~19-11-503. This special tax levy must be made in addition to~~
6 ~~the all-purpose mill levy."~~

7 Section 2. Section 19-11-503, MCA, is amended to read:

8 "19-11-503. Special tax levy for fund required. (1)

9 The purpose of this section is to provide a means by which
10 each disability and pension fund may be maintained at a
11 level equal to 3% of the taxable valuation of all taxable
12 property within the limits of the city or town.

13 (2) Whenever the fund contains less than 3% of the
14 taxable valuation of all taxable property within the limits
15 of the city or town, the governing body of the city or town
16 shall, at the time of the levy of the annual tax, levy a
17 special tax as provided in 19-11-504. The special tax shall
18 be collected as other taxes are collected and, when so
19 collected, shall be paid into the disability and pension
20 fund.

21 ~~(3) If a special tax for the disability and pension~~
22 ~~fund is levied by a third-class city or town using the~~
23 ~~all-purpose mill levy, the special tax levy must be made in~~
24 ~~addition to the all-purpose levy."~~

25 NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-

1 House BILL NO. 421
2 INTRODUCED BY Staff
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A TAX
5 LEVY FOR THE FIREFIGHTERS' DISABILITY AND PENSION FUND
6 IMPOSED BY A THIRD-CLASS CITY OR TOWN MUST BE MADE IN
7 ADDITION TO THE ALL-PURPOSE MILL LEVY; AMENDING SECTIONS
8 7-6-4453 AND 19-11-503, MCA; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."

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

12 Section 1. Section 7-6-4453, MCA, is amended to read:

13 "7-6-4453. Certain special mill levies also available.

14 (1) The all-purpose mill levy shall not and may not include
15 the levies imposed for bonded indebtedness, to pay
16 judgments, or for special improvement district revolving
17 funds of municipalities, which levies may be made in
18 addition to the all-purpose levy, as provided in subsection

19 (2). Sections 7-6-4451 through 7-6-4455 shall not be
20 construed as repealing those statutes providing for multiple
21 separate levies.

22 (2) Extraordinary levies otherwise authorized to pay
23 for bonded indebtedness, judgments, or special improvement
24 district revolving funds may be made by such municipalities
25 in addition to such all-purpose levy provided in 7-6-4451

1 through 7-6-4455.

2 ~~(3) In a third-class city or town, the all-purpose~~
3 ~~mill levy may not include the special tax levy for the~~
4 ~~firefighters' disability and pension fund provided for in~~
5 ~~19-11-503. This special tax levy must be made in addition to~~
6 ~~the all-purpose mill levy."~~

7 Section 2. Section 19-11-503, MCA, is amended to read:

8 "19-11-503. Special tax levy for fund required. (1)

9 The purpose of this section is to provide a means by which
10 each disability and pension fund may be maintained at a
11 level equal to 3% of the taxable valuation of all taxable
12 property within the limits of the city or town.

13 (2) Whenever the fund contains less than 3% of the
14 taxable valuation of all taxable property within the limits
15 of the city or town, the governing body of the city or town
16 shall, at the time of the levy of the annual tax, levy a
17 special tax as provided in 19-11-504. The special tax shall
18 be collected as other taxes are collected and, when so
19 collected, shall be paid into the disability and pension
20 fund.

21 ~~(3) If a special tax for the disability and pension~~
22 ~~fund is levied by a third-class city or town using the~~
23 ~~all-purpose mill levy, the special tax levy must be made in~~
24 ~~addition to the all-purpose levy."~~

25 NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-

HOUSE BILL NO. 421

INTRODUCED BY THOFT

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A TAX LEVY FOR THE FIREFIGHTERS' DISABILITY AND PENSION FUND IMPOSED BY A THIRD-CLASS CITY OR TOWN MUST BE MADE IN ADDITION TO THE ALL-PURPOSE MILL LEVY; AMENDING SECTIONS 7-6-4453 AND 19-11-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-6-4453, MCA, is amended to read:

"7-6-4453. Certain special mill levies also available.

(1) The all-purpose mill levy shall not and may not include the levies imposed for bonded indebtedness, to pay judgments, or for special improvement district revolving funds of municipalities, which levies may be made in addition to the all-purpose levy, as provided in subsection (2). Sections 7-6-4451 through 7-6-4455 shall not be construed as repealing those statutes providing for multiple separate levies.

(2) Extraordinary levies otherwise authorized to pay for bonded indebtedness, judgments, or special improvement district revolving funds may be made by such municipalities in addition to such all-purpose levy provided in 7-6-4451

through 7-6-4455.

~~(3) In a third-class city or town, the all-purpose mill levy may not include the special tax levy for the firefighters' disability and pension fund provided for in 19-11-503. This special tax levy must be made in addition to the all-purpose mill levy."~~

Section 2. Section 19-11-503, MCA, is amended to read:

"19-11-503. Special tax levy for fund required. (1)

The purpose of this section is to provide a means by which each disability and pension fund may be maintained at a level equal to 3% of the taxable valuation of all taxable property within the limits of the city or town.

(2) Whenever the fund contains less than 3% of the taxable valuation of all taxable property within the limits of the city or town, the governing body of the city or town shall, at the time of the levy of the annual tax, levy a special tax as provided in 19-11-504. The special tax shall be collected as other taxes are collected and, when so collected, shall be paid into the disability and pension fund.

~~(3) If a special tax for the disability and pension fund is levied by a third-class city or town using the all-purpose mill levy, the special tax levy must be made in addition to the all-purpose levy."~~

NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-