

SENATE BILL NO. 454

INTRODUCED BY FULLER, PINSONEAULT, HIRSCH, MOHAR,  
MCCALLUM, HARDING, CRIPPEN, ECK, REGAN

BY REQUEST OF THE SENATE LOCAL GOVERNMENT COMMITTEE  
AND THE DEPARTMENT OF COMMERCE

IN THE SENATE

February 20, 1985	Introduced and referred to Committee on Local Government.
February 23, 1985	Committee recommend bill do pass as amended. Report adopted.
February 25, 1985	Bill printed and placed on members' desks.
February 26, 1985	Second reading, do pass.  Considered correctly engrossed.
February 27, 1985	Third reading, passed. Ayes, 50; Noes, 0.  Transmitted to House.

IN THE HOUSE

March 7, 1985	Introduced and referred to Committee on Local Government.
March 20, 1985	Committee recommend bill be concurrred in. Report adopted.
March 23, 1985	Second reading, concurrred in.
March 26, 1985	Third reading, concurrred in.  Returned to Senate.

IN THE SENATE

March 26, 1985

Received from House.

March 27, 1985

Sent to enrolling.

Reported correctly enrolled.

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*Senate* BILL NO. 454

INTRODUCED BY Julian Harold Henry Moran  
*McCallum* *Harding*  
BY REQUEST OF THE SENATE LOCAL GOVERNMENT COMMITTEE  
*Earl*  
AND THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT ENABLING COUNTY HOUSING  
AUTHORITIES AND COUNTY GOVERNING BODIES TO ASSIST IN THE  
PROVISION AND REHABILITATION OF RURAL DWELLINGS FOR ANY  
LOW-INCOME RESIDENT; AMENDING SECTIONS 7-15-2121 AND  
7-15-2122, MCA."

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

Section 1. Section 7-15-2121, MCA, is amended to read:

"7-15-2121. Authorization for rural housing projects.  
Housing authorities created for counties are specifically  
empowered and authorized to borrow money, accept grants, and  
exercise their other powers to provide housing for farmers  
rural residents of low income."

Section 2. Section 7-15-2122, MCA, is amended to read:

"7-15-2122. Operation of rural housing projects. (1)  
In connection with the projects authorized by 7-15-2121,  
such housing authorities may enter into such leases or  
purchase agreements, accept such conveyances, and rent or  
sell dwellings forming part of such projects to or for  
farmers rural residents of low income as such housing

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authority deems necessary in order to assure the achievement  
of the objectives of this part.

(2) Such leases, agreements, or conveyances may  
include such covenants as the housing authority deems  
appropriate regarding such dwellings and the tracts of lands  
described in any such instrument. The covenants shall be  
deemed to run with the land where the housing authority  
deems it necessary and the parties to such instrument so  
stipulate.

(3) Nothing contained in this section and 7-15-2121  
shall be construed as limiting any other powers of any  
housing authority, except that no more than 2 acres of land  
per dwelling, together with the dwelling houses thereon  
provided for under the provisions of this part, shall be  
exempt from taxation and that upon title to said 2 acres of  
land and the dwelling houses thereon passing to private  
ownership, the said land and the dwelling houses thereon  
shall be restored to the tax rolls and be subject to  
taxation."

NEW SECTION. Section 3. Authorization for counties to  
furnish assistance in the rehabilitation of private  
dwellings. If it has determined that unsanitary or unsafe  
privately owned dwellings exist in the unincorporated area  
of the county and it has further determined that the owners  
of such dwellings are unable under the prevailing market



1 conditions to finance replacement or rehabilitation of their  
2 dwellings without assistance, the board of county  
3 commissioners may:

4 (1) finance the replacement or rehabilitation of such  
5 unsanitary or unsafe privately owned dwellings through the  
6 use of grants of funds or property, direct loans, loan  
7 guarantees, and any other means;

8 (2) apply for and accept advances, loans, grants,  
9 contributions, and any other form of financial assistance  
10 from the federal government or the state or other public  
11 body or from any other public or private source for the  
12 purposes of this section and 7-15-2101; and

13 (3) enter into and carry out contracts in connection  
14 with activities under subsection (1) or (2).

15 NEW SECTION. Section 4. Codification instruction.  
16 Section 3 is intended to be codified as an integral part of  
17 Title 7, chapter 15, part 21, and the provisions of  
18 7-15-2101 apply to section 3.

-End-

APPROVED BY COMM.  
ON LOCAL GOVERNMENT

1 SENATE BILL NO. 454  
2 INTRODUCED BY FULLER, PINSONEAULT, HIRSCH, MOHAR,  
3 MCCALLUM, HARDING, CRIPPEN, ECK, REGAN  
4 BY REQUEST OF THE SENATE LOCAL GOVERNMENT COMMITTEE  
5 AND THE DEPARTMENT OF COMMERCE  
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7 A BILL FOR AN ACT ENTITLED: "AN ACT ENABLING COUNTY HOUSING  
8 AUTHORITIES AND COUNTY GOVERNING BODIES TO ASSIST IN THE  
9 PROVISION AND REHABILITATION OF RURAL DWELLINGS FOR ANY  
10 LOW-INCOME RESIDENT; AMENDING SECTIONS 7-15-2121 AND  
11 7-15-2122, MCA."  
12  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
14 Section 1. Section 7-15-2121, MCA, is amended to read:  
15 "7-15-2121. Authorization for rural housing projects.  
16 Housing authorities created for counties are specifically  
17 empowered and authorized to borrow money, accept grants, and  
18 exercise their other powers to provide housing for **farmers**  
19 rural residents of low income."  
20 Section 2. Section 7-15-2122, MCA, is amended to read:  
21 "7-15-2122. Operation of rural housing projects. (1)  
22 In connection with the projects authorized by 7-15-2121,  
23 such housing authorities may enter into such leases or  
24 purchase agreements, accept such conveyances, and rent or  
25 sell dwellings forming part of such projects to or for

1 **farmers** rural residents of low income as such housing  
2 authority deems necessary in order to assure the achievement  
3 of the objectives of this part.  
4 (2) Such leases, agreements, or conveyances may  
5 include such covenants as the housing authority deems  
6 appropriate regarding such dwellings and the tracts of lands  
7 described in any such instrument. The covenants shall be  
8 deemed to run with the land where the housing authority  
9 deems it necessary and the parties to such instrument so  
10 stipulate.  
11 (3) Nothing contained in this section and 7-15-2121  
12 shall be construed as limiting any other powers of any  
13 housing authority, except that no more than 2 acres of land  
14 per dwelling, together with the dwelling houses thereon  
15 provided for under the provisions of this part, shall be  
16 exempt from taxation and that upon title to said 2 acres of  
17 land and the dwelling houses thereon passing to private  
18 ownership, the said land and the dwelling houses thereon  
19 shall be restored to the tax rolls and be subject to  
20 taxation."  
21 NEW SECTION. Section 3. Authorization for counties to  
22 furnish assistance in the rehabilitation of private  
23 dwellings. If it has determined that unsanitary or unsafe  
24 privately owned dwellings exist in the unincorporated area  
25 of the county and it has further determined that the owners



1 of such dwellings are unable under the prevailing market  
2 conditions to finance replacement or rehabilitation of their  
3 dwellings without assistance, the board of county  
4 commissioners may:

5 (1) USING THE FUNDS PROVIDED IN (2), finance the  
6 replacement or rehabilitation of such unsanitary or unsafe  
7 privately owned dwellings through the use of grants of funds  
8 or property, direct loans, loan guarantees, and any other  
9 means;

10 (2) ACCEPT GIFTS OF PROPERTY OR apply for and accept  
11 ~~advances, loans,~~ grants, contributions, and any other form  
12 of financial assistance from the federal government or the  
13 state or other public body or from any other public or  
14 private source for the purposes of this section and  
15 7-15-2101; and

16 (3) enter into and carry out contracts in connection  
17 with activities under subsection (1) or (2).

18 NEW SECTION. Section 4. Codification instruction.  
19 Section 3 is intended to be codified as an integral part of  
20 Title 7, chapter 15, part 21, and the provisions of  
21 7-15-2101 apply to section 3.

-End-

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10 LOW-INCOME RESIDENT; AMENDING SECTIONS 7-15-2121 AND  
11 7-15-2122, MCA."

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

14 Section 1. Section 7-15-2121, MCA, is amended to read:

15 "7-15-2121. Authorization for rural housing projects.

16 Housing authorities created for counties are specifically  
17 empowered and authorized to borrow money, accept grants, and  
18 exercise their other powers to provide housing for farmers  
19 rural residents of low income."

20 Section 2. Section 7-15-2122, MCA, is amended to read:

21 "7-15-2122. Operation of rural housing projects. (1)

22 In connection with the projects authorized by 7-15-2121,  
23 such housing authorities may enter into such leases or  
24 purchase agreements, accept such conveyances, and rent or  
25 sell dwellings forming part of such projects to or for

1 farmers rural residents of low income as such housing  
2 authority deems necessary in order to assure the achievement  
3 of the objectives of this part.

4 (2) Such leases, agreements, or conveyances may  
5 include such covenants as the housing authority deems  
6 appropriate regarding such dwellings and the tracts of lands  
7 described in any such instrument. The covenants shall be  
8 deemed to run with the land where the housing authority  
9 deems it necessary and the parties to such instrument so  
10 stipulate.

11 (3) Nothing contained in this section and 7-15-2121  
12 shall be construed as limiting any other powers of any  
13 housing authority, except that no more than 2 acres of land  
14 per dwelling, together with the dwelling houses thereon  
15 provided for under the provisions of this part, shall be  
16 exempt from taxation and that upon title to said 2 acres of  
17 land and the dwelling houses thereon passing to private  
18 ownership, the said land and the dwelling houses thereon  
19 shall be restored to the tax rolls and be subject to  
20 taxation."

21 NEW SECTION. Section 3. Authorization for counties to  
22 furnish assistance in the rehabilitation of private  
23 dwellings. If it has determined that unsanitary or unsafe  
24 privately owned dwellings exist in the unincorporated area  
25 of the county and it has further determined that the owners

1 of such dwellings are unable under the prevailing market  
2 conditions to finance replacement or rehabilitation of their  
3 dwellings without assistance, the board of county  
4 commissioners may:

5 (1) USING THE FUNDS PROVIDED IN (2), finance the  
6 replacement or rehabilitation of such unsanitary or unsafe  
7 privately owned dwellings through the use of grants of funds  
8 or property, direct loans, loan guarantees, and any other  
9 means;

10 (2) ACCEPT GIFTS OF PROPERTY OR apply for and accept  
11 ~~advances, loans,~~ grants, contributions, and any other form  
12 of financial assistance from the federal government or the  
13 state or other public body or from any other public or  
14 private source for the purposes of this section and  
15 7-15-2101; and

16 (3) enter into and carry out contracts in connection  
17 with activities under subsection (1) or (2).

18 NEW SECTION. Section 4. Codification instruction.  
19 Section 3 is intended to be codified as an integral part of  
20 Title 7, chapter 15, part 21, and the provisions of  
21 7-15-2101 apply to section 3.

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18 exercise their other powers to provide housing for farmers  
19 rural residents of low income."

20 Section 2. Section 7-15-2122, MCA, is amended to read:

21 "7-15-2122. Operation of rural housing projects. (1)  
22 In connection with the projects authorized by 7-15-2121,  
23 such housing authorities may enter into such leases or  
24 purchase agreements, accept such conveyances, and rent or  
25 sell dwellings forming part of such projects to or for

1 farmers rural residents of low income as such housing  
2 authority deems necessary in order to assure the achievement  
3 of the objectives of this part.

4 (2) Such leases, agreements, or conveyances may  
5 include such covenants as the housing authority deems  
6 appropriate regarding such dwellings and the tracts of lands  
7 described in any such instrument. The covenants shall be  
8 deemed to run with the land where the housing authority  
9 deems it necessary and the parties to such instrument so  
10 stipulate.

11 (3) Nothing contained in this section and 7-15-2121  
12 shall be construed as limiting any other powers of any  
13 housing authority, except that no more than 2 acres of land  
14 per dwelling, together with the dwelling houses thereon  
15 provided for under the provisions of this part, shall be  
16 exempt from taxation and that upon title to said 2 acres of  
17 land and the dwelling houses thereon passing to private  
18 ownership, the said land and the dwelling houses thereon  
19 shall be restored to the tax rolls and be subject to  
20 taxation."

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23 dwellings. If it has determined that unsanitary or unsafe  
24 privately owned dwellings exist in the unincorporated area  
25 of the county and it has further determined that the owners

1 of such dwellings are unable under the prevailing market  
2 conditions to finance replacement or rehabilitation of their  
3 dwellings without assistance, the board of county  
4 commissioners may:

5 (1) USING THE FUNDS PROVIDED IN (2), finance the  
6 replacement or rehabilitation of such unsanitary or unsafe  
7 privately owned dwellings through the use of grants of funds  
8 or property, direct loans, loan guarantees, and any other  
9 means;

10 (2) ACCEPT GIFTS OF PROPERTY OR apply for and accept  
11 ~~advances, loans,~~ grants, contributions, and any other form  
12 of financial assistance from the federal government or the  
13 state or other public body or from any other public or  
14 private source for the purposes of this section and  
15 7-15-2101; and

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17 with activities under subsection (1) or (2).

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