

HB 405 INTRODUCED BY GRADY, ET AL.
PETITION FOR FEE ON LANDOWNERS TO FUND VOLUNTEER
FIRE COMPANY

1/22 INTRODUCED
1/22 REFERRED TO LOCAL GOVERNMENT
2/06 HEARING
2/13 TABLED IN COMMITTEE

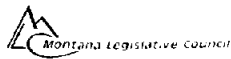
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 2 INTRODUCED BY House BILL NO. 405
 3 Campbell Ready McClain Brown Spada

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING PRIVATE
 5 LANDOWNERS AND OWNERS OF RESIDENCES ON PUBLIC LAND THAT ARE
 6 SERVED BY A FIRE COMPANY IN AN UNINCORPORATED TOWN OR
 7 VILLAGE TO PETITION FOR A FLAT RATE FEE TO SUPPORT THE FIRE
 8 COMPANY; PROVIDING A PROCEDURE TO CHANGE OR ABOLISH THE FLAT
 9 RATE FEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

12 Section 1. Petition for flat rate fee -- amount of fee
 13 -- petition to change or abolish fee. (1) If a petition
 14 signed by 50% or more of the owners of private land and
 15 owners of residential units on public land within the
 16 boundaries of the protected area served by a fire company
 17 organized under 7-33-2311 specifically requests the board of
 18 county commissioners to do so, the board shall collect a
 19 special annual flat rate fee from each owner of private land
 20 and each owner of a residential unit on public land within
 21 the boundaries of the protected area. The board shall verify
 22 the petition and signatures and ensure that only owners that
 23 will be subject to the fee signed the petition. The fee
 24 must be collected in the manner that county taxes are
 25 collected and must be deposited for the use of the fire

1 company to help maintain the fire company.
 2 (2) The flat rate fee must be levied on:
 3 (a) each residential unit;
 4 (b) each farm or ranch;
 5 (c) each business; and
 6 (d) land containing no residential unit, farm, ranch,
 7 or business.
 8 (3) A farm or ranch with only one residential unit may
 9 not be assessed both as a farm or ranch and as a residential
 10 unit. An owner of noncontiguous parcels of land containing
 11 no residential unit, farm, ranch, or business may be
 12 assessed only one fee.
 13 (4) The flat rate fee for each year must be computed
 14 by:
 15 (a) deducting from the total projected annual
 16 operating costs the money the fire company expects to have
 17 on hand at the beginning of the year and expects to receive
 18 during the year from all other sources; and
 19 (b) dividing the remaining amount by the total number
 20 of fees to be assessed under subsection (2).
 21 (5) If the board receives a petition signed by 50% or
 22 more of the owners of private land and owners of residential
 23 units on public land within the boundaries of the protected
 24 area, the flat rate fee provided by this section must be
 25 abolished, set at a particular amount, or limited to a



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1 particular maximum amount by the board as requested in the
2 petition. The board shall verify the petition and
3 signatures and ensure that only owners subject to the fee
4 signed the petition.

5 Section 2. Effective date. This act is effective on
6 passage and approval.

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