

HOUSE BILL 384

Introduced by Spring, et al.

1/24	Introduced
1/25	Referred to Local Government
2/02	Hearing
2/02	Tabled in Committee

1 House BILL NO. 384
2 INTRODUCED BY Pep Spring John Bradley Vincent
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT A LOCAL
5 AGENCY OR SPECIAL DISTRICT IS NOT REQUIRED TO CONTRACT FOR
6 ARCHITECTURAL, ENGINEERING, AND LAND SURVEYING SERVICES THAT
7 DUPLICATE SERVICES PERFORMED ON BEHALF OF A PRIVATE
8 DEVELOPER IN THE COURSE OF PREPARING FOR AN IMPROVEMENT
9 DISTRICT REQUESTED BY THE DEVELOPER; AND AMENDING SECTION
10 18-8-212. MCA."

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

13 **Section 1.** Section 18-8-212, MCA, is amended to read:

14 "18-8-212. Exception Exceptions -- split projects
15 prohibited. (1) (a) All agencies securing architectural,
16 engineering, and land surveying services for projects for
17 which the fees are estimated not to exceed \$5,000 may
18 contract for those professional services by direct
19 negotiation.

20 **(b) A local agency or special district that undertakes**
21 **a project, through the creation of a special improvement**
22 **district or by similar means, at the request of a private**
23 **party is not required to contract for services that**
24 **duplicate the architectural, engineering, and land surveying**
25 **services performed on behalf of the private party.**

1 (2) No An agency may not separate service contracts or
2 split or break projects for the purpose of circumventing the
3 provisions of this part."

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