

HOUSE BILL NO. 667

INTRODUCED BY GOOD

BY REQUEST OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

IN THE HOUSE

FEBRUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
FEBRUARY 15, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 16, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 97; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
MARCH 22, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 23, 1989	SECOND READING, CONCURRED IN.
MARCH 28, 1989	THIRD READING, CONCURRED IN. AYES, 48; NOES, 2.
	RETURNED TO HOUSE.

MARCH 29, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 667
 2 INTRODUCED BY _____
 3 BY REQUEST OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A BUSINESS
 6 IMPROVEMENT DISTRICT TO ASSESS COSTS BASED UPON THE OCCUPIED
 7 OR INCOME-PRODUCING AREA ABOVE THE FIRST FLOOR OF A
 8 BUILDING; AND AMENDING SECTION 7-12-1133, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 7-12-1133, MCA, is amended to read:

12 "7-12-1133. Assessment of costs -- area, lot, and
 13 taxable valuation, and square footage options. (1) At the
 14 same time the board submits the annual budget and work plan
 15 to the governing body as provided in 7-12-1132, the board
 16 shall also recommend to the governing body a method of
 17 levying an assessment on the property within the district
 18 which will best ensure that the assessment on each lot or
 19 parcel is equitable in proportion to the benefits to be
 20 received.

21 (2) The governing body shall annually assess the entire
 22 cost of the district against the entire district using a
 23 method which best ensures that the assessment on each lot or
 24 parcel is equitable in proportion to the benefits to be
 25 received. In determining the method of assessment to be

1 used, the governing body shall consider the recommendations
 2 of the board. The governing board shall levy the assessment
 3 using one of the following methods:

4 (a) each lot or parcel of land within such district may
 5 be assessed for that part of the whole cost which its area
 6 bears to the area of the entire district, exclusive of
 7 streets, avenues, alleys, and public places;

8 (b) if the governing body determines that the benefits
 9 derived by each lot or parcel are substantially equivalent,
 10 the cost may be assessed equally to each lot or parcel
 11 located within the district without regard to the area of
 12 the lot or parcel;

13 (c) each lot or parcel of land, including the
 14 improvements thereon, may be assessed for that part of the
 15 whole cost of the district which its taxable valuation bears
 16 to the total taxable valuation of the property of the
 17 district; or

18 (d) each building may be assessed for that part of the
 19 whole cost of the district that the occupied or
 20 income-producing area of the building above the first floor
 21 bears to the area of the entire district; or

22 ~~(d)~~(e) by using any combination of the assessment
 23 options provided in subsections ~~(a)~~ (2)(a) through ~~(c)~~
 24 (2)(d)."

-End-



-2- INTRODUCED BILL
 HB 667

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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20 income-producing area of the building above the first floor
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-12-1133, MCA, is amended to read:

"7-12-1133. Assessment of costs -- area, lot, and taxable valuation, and square footage options. (1) At the same time the board submits the annual budget and work plan to the governing body as provided in 7-12-1132, the board shall also recommend to the governing body a method of levying an assessment on the property within the district which will best ensure that the assessment on each lot or parcel is equitable in proportion to the benefits to be received.

(2) The governing body shall annually assess the entire cost of the district against the entire district using a method which best ensures that the assessment on each lot or parcel is equitable in proportion to the benefits to be received. In determining the method of assessment to be

used, the governing body shall consider the recommendations of the board. The governing board shall levy the assessment using one of the following methods:

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(c) each lot or parcel of land, including the improvements thereon, may be assessed for that part of the whole cost of the district which its taxable valuation bears to the total taxable valuation of the property of the district; or

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-End-

-2-



THIRD READING
H B 667

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