

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 [Signature]
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 (e)
24 (2)(d)."

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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(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

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