

SENATE BILL 261

Introduced by Doherty, et al.

1/26	Introduced
1/26	Referred to Natural Resources
1/26	First Reading
1/27	Fiscal Note Requested
2/02	Fiscal Note Received
2/03	Hearing
2/04	Fiscal Note Printed
2/09	Committee Report--Bill Passed
2/12	2nd Reading Passed as Amended
2/13	3rd Reading Passed

	Transmitted to House
2/23	Referred to Natural Resources
2/23	First Reading
3/12	Hearing
3/26	Tabled in Committee

1 *Senate* BILL NO. *261*
 2 INTRODUCED BY *Doherty* *Billant* *Svensen*
 3 *Braden*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA
 5 SUBDIVISION AND PLATTING ACT; AMENDING SECTIONS 76-3-103,
 6 76-3-104, 76-3-207, AND 76-3-609, MCA; REPEALING SECTION
 7 76-3-505, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 76-3-103, MCA, is amended to read:

11 "76-3-103. Definitions. As used in this chapter, unless
 12 the context or subject matter clearly requires otherwise,
 13 the following words or phrases shall have the following
 14 meanings:

15 (1) "Certificate of survey" means a drawing of a field
 16 survey prepared by a registered surveyor for the purpose of
 17 disclosing facts pertaining to boundary locations.

18 (2) "Dedication" means the deliberate appropriation of
 19 land by an owner for any general and public use, reserving
 20 to himself the owner no rights which are incompatible with
 21 the full exercise and enjoyment of the public use to which
 22 the property has been devoted.

23 (3) "Division of land" means the segregation of one or
 24 more parcels of land from a larger tract held in single or
 25 undivided ownership by transferring or contracting to

1 transfer title to or possession of a portion of the tract or
 2 properly filing a certificate of survey or subdivision plat
 3 establishing the identity of the segregated parcels pursuant
 4 to this chapter.

5 (4) "Examining land surveyor" means a registered land
 6 surveyor duly appointed by the governing body to review
 7 surveys and plats submitted for filing.

8 (5) "Final plat" means the final drawing of the
 9 subdivision and dedication required by this chapter to be
 10 prepared for filing for record with the county clerk and
 11 recorder and containing all elements and requirements set
 12 forth in this chapter and in regulations adopted pursuant
 13 thereto to this chapter.

14 (6) "Governing body" means a board of county
 15 commissioners or the governing authority of any a city or
 16 town organized pursuant to law.

17 (7) "Irregularly shaped tract of land" means a parcel
 18 of land other than an aliquot part of the United States
 19 government survey section or a United States government lot,
 20 the boundaries or areas of which cannot be determined
 21 without a survey or trigonometric calculation.

22 ~~(8) "Occasional sale" means one sale of a division of~~
 23 ~~land within any 12-month period.~~

24 (8) "Minor subdivision" means a subdivision:

25 (a) that contains five or fewer parcels;

1 (b) in which proper access to all lots is provided; and
 2 (c) in which land will not be dedicated to public use
 3 for parks or playgrounds.

4 (9) "Planned unit development" means a land development
 5 project consisting of residential clusters, industrial
 6 parks, shopping centers, office building parks, or any a
 7 combination thereof ~~which-comprises~~ that composes a planned
 8 mixture of land uses built in a prearranged relationship to
 9 each other and having open space and community facilities in
 10 common ownership or use.

11 (10) "Plat" means a graphical representation of a
 12 subdivision showing the division of land into lots, parcels,
 13 blocks, streets, alleys, and other divisions and
 14 dedications.

15 (11) "Preliminary plat" means a neat and scaled drawing
 16 of a proposed subdivision showing the layout of streets,
 17 alleys, lots, blocks, and other elements of a subdivision
 18 which furnish a basis for review by a governing body.

19 (12) "Registered land surveyor" means a person licensed
 20 in conformance with Title 37, chapter 67, to practice
 21 surveying in the state of Montana.

22 (13) "Registered professional engineer" means a person
 23 licensed in conformance with Title 37, chapter 67, to
 24 practice engineering in the state of Montana.

25 (14) "Subdivider" means any a person who causes land to

1 be subdivided or who proposes a subdivision of land.

2 (15) "Subdivision" means a division of land or land so
 3 divided ~~which that~~ creates one or more parcels containing
 4 ~~less-than-20-acres~~, exclusive of public roadways, in order
 5 that the title to or possession of the parcels may be sold,
 6 rented, leased, or otherwise conveyed ~~and-shall-include~~. The
 7 term includes any a resubdivision and ~~shall further include~~
 8 includes any a condominium or area, regardless of its size,
 9 ~~which that~~ provides or will provide multiple space for
 10 recreational camping vehicles or mobile homes."

11 **Section 2.** Section 76-3-104, MCA, is amended to read:

12 "76-3-104. What constitutes subdivision. A subdivision
 13 ~~shall-comprise~~ comprises only those parcels ~~less--than--20~~
 14 ~~acres--which--have--been~~ segregated from the original tract,
 15 and the subdivision plat thereof ~~shall must~~ show all such
 16 the parcels, whether contiguous or not."

17 **Section 3.** Section 76-3-207, MCA, is amended to read:

18 "76-3-207. Subdivisions ~~exempted from~~ review but
 19 ~~subject to survey requirements -- exceptions~~. (1) Except as
 20 provided in subsection (2), unless the method of disposition
 21 is adopted for the purpose of evading this chapter, the
 22 following divisions of land are not subdivisions under this
 23 chapter but are subject to the surveying requirements of
 24 76-3-401 for divisions of land not amounting to
 25 subdivisions:

(a) divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties;

~~(b) divisions made outside of platted subdivisions for the purpose of a gift or sale to any member of the landowner's immediate family;~~

~~(c)~~ (b) divisions made outside of platted subdivisions by sale or agreement to buy and sell ~~where~~ when the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes;

~~(d) a single division of a parcel outside of platted subdivisions when the transaction is an occasional sale;~~

~~(e)~~ (c) for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots; and

~~(f)~~ (d) divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. ~~Any restrictions~~ Restrictions or requirements on the original platted lot or original unplatted parcel continue to apply to those areas.

(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county

clerk and recorder, any a division of lots which that results in an increase in the number of lots or which that redesigns or rearranges six or more lots must be reviewed and approved by the governing body, and an amended plat must be filed with the county clerk and recorder;

(b) any a change in use of the land exempted under subsection ~~(f)~~ ~~(e)~~ (1)(b) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) No A division of land may not be made under this section unless the county treasurer has certified that no real property taxes assessed and levied on the land to be divided are not delinquent."

Section 4. Section 76-3-609, MCA, is amended to read:

"76-3-609. Review procedure for minor subdivisions. ~~Subdivisions containing five or fewer parcels where proper access to all lots is provided and in which no land is to be dedicated to the public for parks or playgrounds are to be reviewed as follows:~~ (1) Local subdivision regulations must include:

(a) procedures for the summary review and approval of minor subdivisions; and

(b) criteria for determining which minor subdivisions are eligible for summary review.

(2) (a) The summary review procedures may waive

requirements for:

(i) holding a public hearing;

(ii) preparing an environmental assessment; or

(iii) applying the approval criteria contained in 76-3-608.

(b) The summary review procedures apply unless the governing body determines that the subdivision fails to meet locally adopted eligibility criteria adopted under subsection (1)(b).

(3) In addition to the summary review procedures adopted under subsection (1), the following provisions also apply to the first minor subdivision from a tract of record. For the purpose of this section, a "tract of record" is a tract of land the separate existence of which is documented by the existence of a conveyance or survey record in the office of the county clerk and recorder on January 1, 1993.

{1}(a) The governing body must approve, conditionally approve, or disapprove the first--such subdivision from--a tract--of--record within 35 days of the submission of an application for subdivision approval thereof.

{2}(b) The governing body shall state in writing the conditions which that must be met if the subdivision is conditionally approved or what local regulations would not be met by the subdivision if it disapproves the subdivision.

{3}(c) The requirements for holding a public hearing

and preparing an environmental assessment shall do not apply to the first--such subdivision created--from--a--tract--of record.

{4}--Subsequent--subdivisions--from--a--tract--of--record shall--be--reviewed--under--76-3-505--and--regulations--adopted pursuant-to-that-section.

(4) (a) When a minor subdivision is proposed in an area for which a master plan has been adopted pursuant to chapter 1 and the proposed subdivision will comply with the plan, the subdivision is exempt from the approval criteria contained in 76-3-608 but is subject to applicable zoning regulations.

(b) In order for a master plan to serve as the basis for the exemption provided by this subsection (4), the plan must, at a minimum, contain housing, transportation, and land-use elements and a discussion of physical constraints on development that exist within the area encompassed by the plan."

NEW SECTION. Section 5. Repealer. Section 76-3-505, MCA, is repealed.

NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

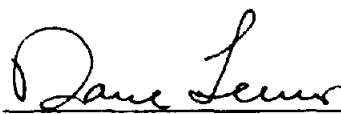
In compliance with a written request, there is hereby submitted a Fiscal Note for SB0261, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act revising the Montana Subdivision and platting act.

ASSUMPTIONS:

1. Changing the definition of "subdivision" in the Subdivision and Platting Act from parcels less than 20 acres to a division of land or land so divided that creates one or more parcels will result in an increase in the number of subdivisions subject to DHES review under the Sanitation in Subdivisions Act by approximately 1190 additional parcels per year during the next biennium.
2. The increase in subdivisions subject the DHES review is anticipated because land developers would no longer have an incentive to create parcels larger than 20 acres to avoid local planning review.
3. This anticipated increase in work load could likely be addressed by increased contracted services and increased grants to contracted local departments of health. The increased work load would be split equally between contracted services and local departments.
4. Revenue from subdivision review fees would offset costs to the DHES for the increased workload.
5. The DHES is having legislation introduced [LC914] that would create a state special revenue account and require that all fees collected would be deposited to this account. All subdivision costs then would be appropriated from this account.
6. The legislation in assumption number 6 will be passed. If not, then DHES will need a general fund appropriation for \$107,100 each year of the biennium.
7. No fiscal impact on the Montana Department of Commerce's expenditures or revenues.

(Continued)

 2-2-93

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 2/4/93

STEVE DOHERTY, PRIMARY SPONSOR DATE

Fiscal Note for SB0261, as introduced

SB 261

FISCAL IMPACT: DHES

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Operating Expenses (contracts)	0	\$65,450	\$65,450	0	\$65,450	\$65,450
Grants to counties	<u>0</u>	<u>\$41,650</u>	<u>\$41,650</u>	<u>0</u>	<u>\$41,650</u>	<u>\$41,650</u>
Total	0	\$107,100	\$107,100	0	\$107,100	\$107,100
<u>Expenditures:</u>						
Fees	0	\$107,100	\$107,100	0	\$107,100	\$107,100
<u>Revenues:</u>						
Fees	0	\$107,100	\$107,100	0	\$107,100	\$107,100

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: DHES - Reimbursements to local health departments under contract with DHES to provide review services would increase by \$41,650 under this scenario. COMMERCE - Passage would increase the numbers of land divisions that would be reviewed by Montana cities and most particularly Montana counties. Quantification of numbers and costs of these increased reviews is not available. Cities and counties have existing authority to charge fees to land developers to recover the costs of such subdivision reviews.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION: DHES - Some long-term increase in subdivision applications to DHES is anticipated, but it would likely be less than the 25% increase projected for the next biennium.

TECHNICAL NOTES: This bill needs coordination with LC914 to fund subdivision activities.

SB 261

APPROVED BY COMM. ON
NATURAL RESOURCES

INTRODUCED BY *Senate* BILL NO. *261*
Doherty *Billant* *Svenson*
Banbury

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA
SUBDIVISION AND PLATTING ACT; AMENDING SECTIONS 76-3-103,
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the context or subject matter clearly requires otherwise,
the following words or phrases shall have the following
meanings:

(1) "Certificate of survey" means a drawing of a field
survey prepared by a registered surveyor for the purpose of
disclosing facts pertaining to boundary locations.

(2) "Dedication" means the deliberate appropriation of
land by an owner for any general and public use, reserving
to himself the owner no rights which are incompatible with
the full exercise and enjoyment of the public use to which
the property has been devoted.

(3) "Division of land" means the segregation of one or
more parcels of land from a larger tract held in single or
undivided ownership by transferring or contracting to

transfer title to or possession of a portion of the tract or
properly filing a certificate of survey or subdivision plat
establishing the identity of the segregated parcels pursuant
to this chapter.

(4) "Examining land surveyor" means a registered land
surveyor duly appointed by the governing body to review
surveys and plats submitted for filing.

(5) "Final plat" means the final drawing of the
subdivision and dedication required by this chapter to be
prepared for filing for record with the county clerk and
recorder and containing all elements and requirements set
forth in this chapter and in regulations adopted pursuant
thereto to this chapter.

(6) "Governing body" means a board of county
commissioners or the governing authority of any a city or
town organized pursuant to law.

(7) "Irregularly shaped tract of land" means a parcel
of land other than an aliquot part of the United States
government survey section or a United States government lot,
the boundaries or areas of which cannot be determined
without a survey or trigonometric calculation.

~~(8) "Occasional sale" means one sale of a division of
land within any 12-month period.~~

(8) "Minor subdivision" means a subdivision:

(a) that contains five or fewer parcels;

(b) in which proper access to all lots is provided; and
 (c) in which land will not be dedicated to public use
for parks or playgrounds.

(9) "Planned unit development" means a land development project consisting of residential clusters, industrial parks, shopping centers, office building parks, or any a combination thereof which-comprises that composes a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in common ownership or use.

(10) "Plat" means a graphical representation of a subdivision showing the division of land into lots, parcels, blocks, streets, alleys, and other divisions and dedications.

(11) "Preliminary plat" means a neat and scaled drawing of a proposed subdivision showing the layout of streets, alleys, lots, blocks, and other elements of a subdivision which furnish a basis for review by a governing body.

(12) "Registered land surveyor" means a person licensed in conformance with Title 37, chapter 67, to practice surveying in the state of Montana.

(13) "Registered professional engineer" means a person licensed in conformance with Title 37, chapter 67, to practice engineering in the state of Montana.

(14) "Subdivider" means any a person who causes land to

be subdivided or who proposes a subdivision of land.

(15) "Subdivision" means a division of land or land so divided which that creates one or more parcels containing ~~less-than-20-acres~~, exclusive of public roadways, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed ~~and-shall-include~~. The term includes any a resubdivision and ~~shall~~ further include includes any a condominium or area, regardless of its size, which that provides or will provide multiple space for recreational camping vehicles or mobile homes."

Section 2. Section 76-3-104, MCA, is amended to read:

"76-3-104. What constitutes subdivision. A subdivision ~~shall-comprise~~ comprises only those parcels ~~less--than--20 acres--which--have--been~~ segregated from the original tract, and the subdivision plat thereof ~~shall must~~ show all such the parcels, whether contiguous or not."

Section 3. Section 76-3-207, MCA, is amended to read:

"76-3-207. Subdivisions ~~exempted from review but~~ subject to survey requirements -- exceptions. (1) Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions of land are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions of land not amounting to subdivisions:

(a) divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties;

~~{b}--divisions--made--outside--of--platted--subdivisions--for--the--purpose--of--a--gift--or--sale--to--any--member--of--the--landowner's--immediate--family;~~

{c}{b} divisions made outside of platted subdivisions by sale or agreement to buy and sell where when the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes;

~~{d}--a--single--division--of--a--parcel--outside--of--platted--subdivisions--when--the--transaction--is--an--occasional--sale;~~

{e}{c} for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots; and

{f}{d} divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. ~~Any--restrictions~~ Restrictions or requirements on the original platted lot or original unplatted parcel continue to apply to those areas.

(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county

clerk and recorder, any a division of lots which that results in an increase in the number of lots or which that redesigns or rearranges six or more lots must be reviewed and approved by the governing body, and an amended plat must be filed with the county clerk and recorder;

(b) any a change in use of the land exempted under subsection ~~{t}{c}~~ (1)(b) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) No A division of land may not be made under this section unless the county treasurer has certified that no real property taxes assessed and levied on the land to be divided are not delinquent."

Section 4. Section 76-3-609, MCA, is amended to read:

"76-3-609. Review procedure for minor subdivisions. Subdivisions-containing-five-or-fewer-parcels--where--proper access-to-all-lots-is-provided-and-in-which-no-land-is-to-be dedicated--to--the-public-for-parks-or-playgrounds-are-to-be reviewed-as-follows: (1) Local subdivision regulations must include:

(a) procedures for the summary review and approval of minor subdivisions; and

(b) criteria for determining which minor subdivisions are eligible for summary review.

(2) (a) The summary review procedures may waive

requirements for:

(i) holding a public hearing;

(ii) preparing an environmental assessment; or

(iii) applying the approval criteria contained in 76-3-608.

(b) The summary review procedures apply unless the governing body determines that the subdivision fails to meet locally adopted eligibility criteria adopted under subsection (1)(b).

(3) In addition to the summary review procedures adopted under subsection (1), the following provisions also apply to the first minor subdivision from a tract of record. For the purpose of this section, a "tract of record" is a tract of land the separate existence of which is documented by the existence of a conveyance or survey record in the office of the county clerk and recorder on January 1, 1993.

(1)(a) The governing body must approve, conditionally approve, or disapprove the first--such subdivision from--a tract--of--record within 35 days of the submission of an application for subdivision approval thereof.

(2)(b) The governing body shall state in writing the conditions which that must be met if the subdivision is conditionally approved or what local regulations would not be met by the subdivision if it disapproves the subdivision.

(3)(c) The requirements for holding a public hearing

and preparing an environmental assessment shall do not apply to the first--such subdivision created--from--a--tract--of record.

(4)--Subsequent--subdivisions--from--a--tract--of--record shall--be--reviewed--under--76-3-505--and--regulations--adopted pursuant-to-that-section--

(4) (a) When a minor subdivision is proposed in an area for which a master plan has been adopted pursuant to chapter 1 and the proposed subdivision will comply with the plan, the subdivision is exempt from the approval criteria contained in 76-3-608 but is subject to applicable zoning regulations.

(b) In order for a master plan to serve as the basis for the exemption provided by this subsection (4), the plan must, at a minimum, contain housing, transportation, and land-use elements and a discussion of physical constraints on development that exist within the area encompassed by the plan."

NEW SECTION. Section 5. Repealer. Section 76-3-505, MCA, is repealed.

NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval.

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SWANSON, BRANDEWIE

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(B) DIVISIONS MADE OUTSIDE OF PLATTED SUBDIVISIONS FOR THE PURPOSE OF A GIFT OR SALE TO ANY MEMBER OF THE LANDOWNER'S IMMEDIATE FAMILY;

~~(c)(b)(C)~~ divisions made outside of platted subdivisions by sale or agreement to buy and sell where when the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes;

~~(d) a single division of a parcel outside of platted subdivisions when the transaction is an occasional sale;~~

~~(e)(c)(D)~~ for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots; and

~~(f)(d)(E)~~ divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. Any--restrictions Restrictions or requirements

on the original platted lot or original unplatted parcel continue to apply to those areas.

(2) Notwithstanding the provisions of subsection (1):

(a) within a platted subdivision filed with the county clerk and recorder, any a division of lots which that results in an increase in the number of lots or which that redesigns or rearranges six or more lots must be reviewed and approved by the governing body, and an amended plat must be filed with the county clerk and recorder;

(b) any a change in use of the land exempted under subsection ~~(1)(c)~~ ~~(1)(b)~~ (1)(C) for anything other than agricultural purposes subjects the division to the provisions of this chapter.

(3) No A division of land may not be made under this section unless the county treasurer has certified that no real property taxes assessed and levied on the land to be divided are not delinquent."

Section 4. Section 76-3-609, MCA, is amended to read:

"76-3-609. Review procedure for minor subdivisions. Subdivisions--containing--five-or-fewer-parcels-where-proper access-to-all-lots-is-provided-and-in-which-no-land-is-to-be dedicated-to-the-public-for-parks-or-playgrounds-are--to--be reviewed--as-follows: (1) Local subdivision regulations must include:

(a) procedures for the summary review and approval of

1 minor subdivisions; and

2 (b) criteria for determining which minor subdivisions
3 are eligible for summary review.

4 (2) (a) The summary review procedures may waive
5 requirements for:

6 (i) holding a public hearing;

7 (ii) preparing an environmental assessment; or

8 (iii) applying the approval criteria contained in
9 76-3-608.

10 (b) The summary review procedures apply unless the
11 governing body determines that the subdivision fails to meet
12 locally adopted eligibility criteria adopted under
13 subsection (1)(b).

14 (3) In addition to the summary review procedures
15 adopted under subsection (1), the following provisions also
16 apply to the first minor subdivision from a tract of record.
17 For the purpose of this section, a "tract of record" is a
18 tract of land the separate existence of which is documented
19 by the existence of a conveyance or survey record in the
20 office of the county clerk and recorder on January 1, 1993.

21 {2}(a) The governing body must approve, conditionally
22 approve, or disapprove the first-such subdivision from-a
23 tract-of-record within 35 days of the submission of an
24 application for subdivision approval thereof.

25 {2}(b) The governing body shall state in writing the

1 conditions which that must be met if the subdivision is
2 conditionally approved or what local regulations would not
3 be met by the subdivision if it disapproves the subdivision.

4 {3}(c) The requirements for holding a public hearing
5 and preparing an environmental assessment shall do not apply
6 to the first--such subdivision created--from--a-tract-of
7 record.

8 {4}--Subsequent-subdivisions--from--a--tract--of--record
9 shall--be--reviewed--under--76-3-505-and-regulations-adopted
10 pursuant-to-that-sectionr

11 (4) (a) When a minor subdivision is proposed in an area
12 for which a master plan has been adopted pursuant to chapter
13 1 and the proposed subdivision will comply with the plan,
14 the subdivision is exempt from the approval criteria
15 contained in 76-3-608 but is subject to applicable zoning
16 regulations.

17 (b) In order for a master plan to serve as the basis
18 for the exemption provided by this subsection (4), the plan
19 must, at a minimum, contain housing, transportation, and
20 land-use elements and a discussion of physical constraints
21 on development that exist within the area encompassed by the
22 plan."

23 NEW SECTION. Section 5. Repealer. Section 76-3-505,
24 MCA, is repealed.

25 NEW SECTION. Section 6. Effective date. (This act) is

SB 0261/02

1 effective on passage and approval.

-End-