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INTRODUCED BY _____

Sevin House BILL NO. 317

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THAT THE COSTS TO A COUNTY OF ADMINISTERING A RURAL SPECIAL IMPROVEMENT DISTRICT MAINTENANCE FUND ARE A COST OF MAINTAINING THE DISTRICT; REQUIRING A MAINTENANCE DISTRICT BOARD OF TRUSTEES TO ANNUALLY DETERMINE THE COST OF ADMINISTERING THE MAINTENANCE DISTRICT AND TO ASSESS FOR THE COST; LIMITING THE COSTS FOR ADMINISTERING A MAINTENANCE DISTRICT; REQUIRING THE BOARD OF TRUSTEES OF A MAINTENANCE DISTRICT TO PAY TO THE COUNTY TREASURER THE AMOUNT FOR ADMINISTERING THE DISTRICT; REQUIRING THE COUNTY TREASURER TO DEPOSIT IN THE COUNTY GENERAL FUND ALL FUNDS RECEIVED FOR ADMINISTERING A MAINTENANCE DISTRICT; AMENDING SECTION 7-12-2161, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, the administrative time involved with rural special improvement districts' maintenance districts can be substantial; and

WHEREAS, these districts benefit only the property owners within the districts' boundaries and not the county as a whole; and

WHEREAS, many of the rural special improvement districts rely on the county to make the maintenance decisions for the district; and

WHEREAS, the county receives no revenue for the administration and other costs involved with operating rural special improvement maintenance districts.

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

Section 1. Section 7-12-2161, MCA, is amended to read:

"7-12-2161. Payment of maintenance costs -- resolution for assessment and for change of boundaries -- assessment for administrative costs. (1) It shall be ~~is~~ the duty of the board of county commissioners to estimate, as near as practicable, the cost of maintaining, preserving, or repairing the improvements in each district for each year beginning January 1 or ~~such other~~ another time as it may appear necessary.

1 (2) Before the first Monday in September of each year, the board shall pass and finally adopt a
2 resolution levying and assessing all the property within the district with an amount equal to the whole cost
3 of maintaining, preserving, or repairing ~~said the~~ improvements within the district. The assessment ~~shall~~ must
4 be proportioned as provided in 7-12-2108.

5 (3) ~~Said The~~ resolution levying assessments to defray the cost of maintenance, preservation, or
6 repair of ~~such~~ improvements ~~shall~~ must be prepared and certified to in substantially the same manner as
7 ~~now as may be to~~ a resolution levying assessments for making, constructing, and installing the
8 improvements in ~~said the~~ special improvement district.

9 (4) The board ~~shall have the power of changing~~ may change by resolution, not more than once a
10 year, the boundaries of any maintenance district.

11 (5) The board shall include in the estimated cost of maintaining the district the lesser of \$500 or
12 5% of the annual assessment of the district. The amount determined by the board under this subsection
13 is to defray the costs incurred by the county in administering the maintenance district and is a cost of
14 maintenance. The board shall annually pay the amount determined under this subsection to the county
15 treasurer for deposit in the county general fund."

16

17 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1997.

18

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0317, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act establishing that the costs to a county of administering a rural special improvement district maintenance fund are a cost of maintaining the district.

ASSUMPTIONS:

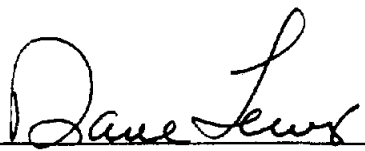
1. The board of county commissioners estimates the cost of maintaining special improvement districts (SID) each January 1.
2. The administration costs of administering a SID will become maintenance costs.

FISCAL IMPACT:

None.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

This is a rural SID issue. By including administration in maintenance costs, administration expenses will be paid by the district rather than the general fund.

 1-23-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1-24-97
KIM GILLAN, PRIMARY SPONSOR DATE

Fiscal Note for HB0317, as introduced

HB 317

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House BILL NO. 317
Sellen

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THAT THE COSTS TO A COUNTY OF ADMINISTERING A RURAL SPECIAL IMPROVEMENT DISTRICT MAINTENANCE FUND ARE A COST OF MAINTAINING THE DISTRICT; REQUIRING A MAINTENANCE DISTRICT BOARD OF TRUSTEES TO ANNUALLY DETERMINE THE COST OF ADMINISTERING THE MAINTENANCE DISTRICT AND TO ASSESS FOR THE COST; LIMITING THE COSTS FOR ADMINISTERING A MAINTENANCE DISTRICT; REQUIRING THE BOARD OF TRUSTEES OF A MAINTENANCE DISTRICT TO PAY TO THE COUNTY TREASURER THE AMOUNT FOR ADMINISTERING THE DISTRICT; REQUIRING THE COUNTY TREASURER TO DEPOSIT IN THE COUNTY GENERAL FUND ALL FUNDS RECEIVED FOR ADMINISTERING A MAINTENANCE DISTRICT; AMENDING SECTION 7-12-2161, MCA; AND PROVIDING AN EFFECTIVE DATE."

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17 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1997.

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INTRODUCED BY Sellen *House* BILL NO. 317

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THAT THE COSTS TO A COUNTY OF ADMINISTERING A RURAL SPECIAL IMPROVEMENT DISTRICT MAINTENANCE FUND ARE A COST OF MAINTAINING THE DISTRICT; REQUIRING A MAINTENANCE DISTRICT BOARD OF TRUSTEES TO ANNUALLY DETERMINE THE COST OF ADMINISTERING THE MAINTENANCE DISTRICT AND TO ASSESS FOR THE COST; LIMITING THE COSTS FOR ADMINISTERING A MAINTENANCE DISTRICT; REQUIRING THE BOARD OF TRUSTEES OF A MAINTENANCE DISTRICT TO PAY TO THE COUNTY TREASURER THE AMOUNT FOR ADMINISTERING THE DISTRICT; REQUIRING THE COUNTY TREASURER TO DEPOSIT IN THE COUNTY GENERAL FUND ALL FUNDS RECEIVED FOR ADMINISTERING A MAINTENANCE DISTRICT; AMENDING SECTION 7-12-2161, MCA; AND PROVIDING AN EFFECTIVE DATE."

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16
17 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1997.

18 -END-

1 House BILL NO. 317

2 INTRODUCED BY Sullivan

3
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18 -END-

1 HOUSE BILL NO. 317

2 INTRODUCED BY GILLAN

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