

1 *House* BILL NO. *516*
 2 INTRODUCED BY *Keenan*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PAYMENT OF PROPERTY TAXES; PROVIDING
 5 FOR INSTALLMENTS RATHER THAN ONE-HALF PAYMENTS OF TAX; REQUIRING THAT ALL TAXES ARE
 6 DUE IN THE FIRST INSTALLMENT IF THE SECOND INSTALLMENT IS LESS THAN \$25; PROVIDING THAT
 7 TAXES ARE RECEIVED BY THE DUE DATE IF POSTMARKED BY THAT DATE; AMENDING SECTIONS
 8 15-16-101, 15-16-102, 15-16-103, 15-16-118, 15-16-203, 15-18-112, AND 15-24-202, MCA; AND
 9 PROVIDING AN EFFECTIVE DATE AND A DELAYED APPLICABILITY DATE."

10

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

12

13 **Section 1.** Section 15-16-101, MCA, is amended to read:14 **"15-16-101. Treasurer to publish notice -- manner of publication.** (1) Within 10 days after the
 15 receipt of the property tax record, the county treasurer shall publish a notice specifying:16 (a) that ~~one-half~~ except as provided in subsection (2), the first installment of all taxes levied and
 17 assessed will be due and payable before 5 p.m. on the next November 30 or within 30 days after the notice
 18 is postmarked and that unless paid prior to that time the amount then due will be delinquent and will draw
 19 interest at the rate of 5/6 of 1% per month from the time of delinquency until paid and 2% will be added
 20 to the delinquent taxes as a penalty;21 (b) that ~~one-half~~ except as provided in subsection (2), the second installment of all taxes levied and
 22 assessed will be due and payable on or before 5 p.m. on the next May 31 and that unless paid prior to that
 23 time the taxes will be delinquent and will draw interest at the rate of 5/6 of 1% per month from the time
 24 of delinquency until paid and 2% will be added to the delinquent taxes as a penalty; and

25 (c) the time and place at which payment of taxes may be made.

26 (2) If the May 31 payment is \$25 or less, both payments are due as provided in subsection (1)(a).27 (3) If the taxes are paid by mail, they are considered paid when deposited in the United States mail,
 28 postage prepaid and addressed to the county treasurer. The postmark on the envelope received by the
 29 county treasurer is proof of the date the taxes were deposited in the mail.30 ~~(2)(4)~~ The county treasurer shall send to the last-known address of each taxpayer a written notice,

1 postage prepaid, showing the amount of taxes and assessments due for the current year and the amount
2 due and delinquent for other years. The written notice must include:

- 3 (a) the taxable value of the property;
- 4 (b) the total mill levy applied to that taxable value;
- 5 (c) the value of each mill in that county;
- 6 (d) itemized city services and special improvement district assessments collected by the county;
- 7 (e) the number of the school district in which the property is located; and
- 8 (f) the amount of the total tax due that is levied as city tax, county tax, state tax, school district
9 tax, and other tax.

10 ~~(3)(5)~~ The municipality shall, upon request of the county treasurer, provide the information to be
11 included under subsection ~~(2)(d)~~ (4)(d) ready for mailing.

12 ~~(4)(6)~~ The notice in every case must be published once a week for 2 weeks in a weekly or daily
13 newspaper published in the county, if there is one, or if there is not, then by posting it in three public
14 places. Failure to publish or post notices does not relieve the taxpayer from any tax liability. Any failure to
15 give notice of the tax due for the current year or of delinquent tax will not affect the legality of the tax."
16

17 **Section 2.** Section 15-16-102, MCA, is amended to read:

18 **"15-16-102. Time for payment -- penalty for delinquency.** Except as provided in 15-16-802 and
19 15-16-803 and unless suspended or canceled under the provisions of Title 15, chapter 24, part 17, all taxes
20 levied and assessed in the state of Montana, except assessments made for special improvements in cities
21 and towns payable under 15-16-103, are payable as follows:

22 (1) ~~One-half~~ Except as provided in 15-16-101(2), the first installment of the taxes ~~are~~ is payable
23 on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked,
24 whichever is later, and ~~one-half are~~ the second installment is payable on or before 5 p.m. on May 31 of
25 each year.

26 (2) Unless ~~one-half~~ the first installment of the taxes ~~are~~ is paid on or before 5 p.m. on November
27 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount
28 payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency
29 until paid and 2% must be added to the delinquent taxes as a penalty.

30 (3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw

1 interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added
2 to the delinquent taxes as a penalty.

3 (4) If the taxes are paid by mail, they are considered paid when deposited in the United States mail,
4 postage prepaid and addressed to the county treasurer. The postmark on the envelope received by the
5 county treasurer is proof of the date the taxes were deposited in the mail.

6 ~~(4)(5)~~ If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without
7 penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

8 ~~(5)(6)~~ A taxpayer may pay current year taxes without paying delinquent taxes. The county
9 treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for
10 one or more full taxable years, provided both ~~halves of~~ installments for the current tax year have been paid.
11 Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest.
12 The payment of the current tax year is not a redemption of the property tax lien for any delinquent tax year.

13 ~~(6)(7)~~ The penalty and interest on delinquent assessment payments for specific parcels of land may
14 be waived by resolution of the city council. A copy of the resolution must be certified to the county
15 treasurer."

16

17 **Section 3.** Section 15-16-103, MCA, is amended to read:

18 **"15-16-103. Special improvement districts with annual interest payments -- collection of special**
19 **assessments for all special improvements.** (1) Special assessments or installments of special assessments
20 made for special improvements in towns and cities, the bonds for which annual interest payments have
21 been specified and that were issued after July 1, 1981, and that have been duly and regularly made and
22 levied by resolution according to law, ~~shall~~ must be payable as follows:

23 (a) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year. If the
24 taxes are not paid on or before that date, they are subject to the same interest and penalty for nonpayment
25 as delinquent property taxes under 15-16-102. The penalty and interest may be waived by resolution of
26 the city council, as provided in 15-16-102~~(6)~~.

27 (b) One-half of the taxes are payable on or before 5 p.m. on May 31 of each year. If the taxes are
28 not paid on or before that date, they are subject to the same interest and penalty for nonpayment as
29 delinquent property taxes under 15-16-102. The penalty and interest may be waived by resolution of the
30 city council, as provided in 15-16-102~~(6)~~.

1 (2) The collection of special assessments or installments of special assessments made for special
2 improvements in towns and cities are as provided by 7-12-4181."

3
4 **Section 4.** Section 15-16-118, MCA, is amended to read:

5 **"15-16-118. Minimum tax payment -- limitation of appeal.** (1) If the taxes and special assessments
6 due for the current year shown in the written notice sent to the taxpayer as required in 15-16-101~~(2)~~ are
7 less than \$5 or if a tax notice of taxes and special assessments due on personal property is less than \$5,
8 the county treasurer shall notify the taxpayer that a minimum tax of \$5 is imposed and due. The \$5 tax
9 is imposed for purposes of defraying administrative expenses incurred in administering the tax. The
10 difference between the taxes and special assessments and the minimum tax of \$5 ~~is to~~ must be deposited
11 in the county general fund.

12 (2) The notification of the \$5 minimum tax required by subsection (1) must be made in the notice
13 required in 15-16-101~~(2)~~ or in the notice of taxes and special assessments due on personal property.

14 (3) The minimum tax imposed by this section is not affected by the limitation on property taxes
15 contained in Title 15, chapter 10, part 4.

16 (4) The minimum assessment imposed by this section does not apply to assessments levied against
17 property owned by the state or a county, consolidated local government, city, town, school district, or
18 other governmental entity unless the total assessments levied against all the property owned by the
19 governmental entity are less than \$5."

20
21 **Section 5.** Section 15-16-203, MCA, is amended to read:

22 **"15-16-203. Assessment of property previously exempt.** (1) Real property or improvements
23 exempt from taxation under Title 15, chapter 6, that during a tax year become the property of a person
24 subject to taxation must be assessed and taxed from the date of change from a nontaxable status to a
25 taxable status.

26 (2) As provided in subsection (3), the county treasurer shall adjust the tax that would have been
27 due and payable for the current year on the property under 15-16-102 if the property was not exempt.

28 (3) To determine the amount of tax due for previously exempt property, the county treasurer shall
29 multiply the amount of tax levied and assessed on the original taxable value of the property for the year
30 by the ratio that the number of days in the year that the property will be in taxable status bears to 365.

1 (4) If the property has not been assessed and taxed during the taxable year because of exemption,
 2 the department shall prepare a special assessment for the property and the county treasurer shall determine
 3 the amount of taxes that would have been due under subsection (2).

4 (5) Upon determining the amount of tax due, the county treasurer shall notify the person to whom
 5 the tax is assessed, in the same manner as notification is provided under 15-16-101~~(2)~~, of the amount due
 6 and the date or dates on which the taxes due are payable as provided in 15-16-102."

7

8 **Section 6.** Section 15-18-112, MCA, is amended to read:

9 "**15-18-112. Redemption from property tax lien.** (1) Except as provided in subsection (3), in all
 10 cases where a property tax lien has been acquired, the purchaser may pay the subsequent taxes assessed
 11 against the property.

12 (2) Upon the redemption of the property from the property tax lien, the redemptioner shall, in
 13 addition to the amount for which the property tax lien was sold, including penalties, interest, and costs,
 14 pay the subsequent taxes assessed, with interest and penalty ~~thereon~~ at the rate established for delinquent
 15 taxes in 15-16-102.

16 (3) The property tax lien may also be redeemed for a particular tax year by a partial payment of
 17 that tax year as provided in 15-16-102~~(5)~~ if:

18 (a) the property tax lien for the year in which the partial payment is made is owned by the county;
 19 and

20 (b) the tax deed has not been issued pursuant to 15-18-211."

21

22 **Section 7.** Section 15-24-202, MCA, is amended to read:

23 "**15-24-202. Payment of tax -- interest and penalty -- display of tax-paid sticker.** (1) (a) The Except
 24 as provided in 15-24-206 and subsection (1)(d) of this section, the owner of a mobile home or housetrailer
 25 which is not taxed as an improvement, as improvements are defined in 15-1-101, shall pay the personal
 26 property tax in two payments, ~~except as provided in 15-24-206.~~

27 (b) The first payment is due within 30 days from the date of the notice of taxes due.

28 (c) The second payment is due no later than September 30 of the year in which the property is
 29 assessed.

30 (d) If the second payment is \$25 or less, both payments are due at the time provided in subsection

1 (1)(b).

2 ~~(d)~~(e) If not paid on or before the date due, the tax is considered delinquent and subject to the
3 penalty and interest provisions in 15-16-102 applicable to other delinquent property taxes. The penalty
4 must be assessed and interest begins to accrue on the first day of delinquency.

5 (2) Upon request, the treasurer shall notify a lienholder if taxes on a mobile home or houstrailer
6 have not been paid.

7 (3) Taxes assessed against a mobile home after the second payment date must be prorated to
8 reflect the remaining portion of the tax year. The prorated taxes must be added to the following year's tax
9 roll and, except as provided in 15-24-206, are due with and must be collected with the first payment due
10 in that year.

11 (4) The department of revenue shall issue tax-paid stickers to the county treasurers. Except as
12 provided in 15-24-206 and 15-24-209, if a mobile home or houstrailer is to be moved and all taxes,
13 interest, and penalties on the mobile home or houstrailer are paid in full, the treasurer shall issue a tax-paid
14 sticker to the owner of the mobile home or houstrailer. Prior to and while in the process of moving the
15 mobile home or houstrailer, the owner shall display the tax-paid sticker, which must be visible from the
16 exterior of the mobile home or houstrailer. ~~No~~ A mobile home movement declaration of destination
17 provided for in 15-24-206 may not be issued unless:

18 (a) the taxes have been paid in full to the county treasurer; or

19 (b) the exceptions in 15-24-206(3) or 15-24-209 apply.

20 (5) On the movement of a mobile home or houstrailer in violation of this part, the county treasurer
21 for the county where the mobile home or houstrailer first comes to rest shall issue a written notice to the
22 owner, showing the amount of delinquent taxes, special assessments, penalties, and interest due. In
23 addition to the penalties provided in 15-16-102, 20% or \$50, whichever is greater, must be added to the
24 delinquent taxes as penalty for violation of this part. On receipt of the delinquent taxes, special
25 assessments, penalties, and interest, the county treasurer shall forward all delinquent taxes, special
26 assessments, penalties, and interest collected under 15-16-102 to the county treasurer for the county of
27 origin. The county of destination shall retain the penalty."
28

29 NEW SECTION. Section 8. Applicability. [This act] applies to all property taxes payable on or after
30 November 30, 1997.

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0516, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the payment of property taxes; providing for installments rather than one-half payments of tax; requiring that all taxes are due in the first installment in the second installment is less than \$25; providing that taxes are received by the due date if postmarked by that date; and providing an effective date and a delayed applicability date.

ASSUMPTIONS:

1. It is assumed that 50% of all taxes levied and assessed will be due with the first installment and that 50% of all taxes levied and assessed will be due with the second installment, unless the second installment is less than \$25.

FISCAL IMPACT:

There is no effect on Department of Revenue expenditures or revenues associated with this proposal. A slight acceleration of state property tax revenues will result from the requirement for those with second-half taxes of less than \$25 to pay the total tax in one installment in November.

EFFECT ON LOCAL REVENUES OR EXPENDITURES:

The proposal will not change local government property tax collections in a fiscal year. A slight acceleration of local property tax revenues will result from the requirement for those with second half taxes of less than \$25 to pay the total tax in one installment in November.

TECHNICAL NOTES:

HB0516 changes the terminology in the specified statutes from "one half" to "the first installment" and "the second installment". Whether one half of all taxes levied and assessed be due and payable with each installment is not clearly defined. The definition of "installment" should be more clearly defined.

Dave Lewis 2-17-97

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

BOB KEENAN, PRIMARY SPONSOR DATE

Fiscal Note for HB0516, as introduced

HB 516

HOUSE BILL NO. 516

INTRODUCED BY KEENAN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PAYMENT OF PROPERTY TAXES; ~~PROVIDING FOR INSTALLMENTS RATHER THAN ONE HALF PAYMENTS OF TAX;~~ REQUIRING THAT ALL TAXES ARE DUE IN THE FIRST ~~INSTALLMENT~~ HALF IF THE SECOND ~~INSTALLMENT~~ HALF IS LESS THAN \$25; PROVIDING THAT TAXES ARE RECEIVED BY THE DUE DATE IF POSTMARKED BY THAT DATE; AMENDING SECTIONS 15-16-101, 15-16-102, 15-16-103, 15-16-118, 15-16-203, 15-18-112, AND 15-24-202, MCA; AND PROVIDING AN EFFECTIVE DATE AND A DELAYED APPLICABILITY DATE."

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

Section 1. Section 15-16-101, MCA, is amended to read:

"15-16-101. Treasurer to publish notice -- manner of publication. (1) Within 10 days after the receipt of the property tax record, the county treasurer shall publish a notice specifying:

(a) that ~~one-half~~ except as provided in subsection (2), the first installment HALF of all taxes levied and assessed will be due and payable before 5 p.m. on the next November 30 or within 30 days after the notice is postmarked and that unless paid prior to that time the amount then due will be delinquent and will draw interest at the rate of 5/6 of 1% per month from the time of delinquency until paid and 2% will be added to the delinquent taxes as a penalty;

(b) that ~~one-half~~ except as provided in subsection (2), the second installment HALF of all taxes levied and assessed will be due and payable on or before 5 p.m. on the next May 31 and that unless paid prior to that time the taxes will be delinquent and will draw interest at the rate of 5/6 of 1% per month from the time of delinquency until paid and 2% will be added to the delinquent taxes as a penalty; and

(c) the time and place at which payment of taxes may be made.

(2) If the May 31 payment is \$25 or less, both payments are due as provided in subsection (1)(a).

(3) If the taxes are paid by mail, they are considered paid when deposited in the United States mail, postage prepaid and addressed to the county treasurer. The postmark on the envelope received by the county treasurer is proof of the date the taxes were deposited in the mail.

~~(2)(4)~~ (4) The county treasurer shall send to the last-known address of each taxpayer a written notice,

1 postage prepaid, showing the amount of taxes and assessments due for the current year and the amount
2 due and delinquent for other years. The written notice must include:

- 3 (a) the taxable value of the property;
4 (b) the total mill levy applied to that taxable value;
5 (c) the value of each mill in that county;
6 (d) itemized city services and special improvement district assessments collected by the county;
7 (e) the number of the school district in which the property is located; and
8 (f) the amount of the total tax due that is levied as city tax, county tax, state tax, school district
9 tax, and other tax.

10 ~~(3)(5)~~ The municipality shall, upon request of the county treasurer, provide the information to be
11 included under subsection ~~(2)(d)~~ (4)(d) ready for mailing.

12 ~~(4)(6)~~ The notice in every case must be published once a week for 2 weeks in a weekly or daily
13 newspaper published in the county, if there is one, or if there is not, then by posting it in three public
14 places. Failure to publish or post notices does not relieve the taxpayer from any tax liability. Any failure to
15 give notice of the tax due for the current year or of delinquent tax will not affect the legality of the tax."
16

17 **Section 2.** Section 15-16-102, MCA, is amended to read:

18 **"15-16-102. Time for payment -- penalty for delinquency.** Except as provided in 15-16-802 and
19 15-16-803 and unless suspended or canceled under the provisions of Title 15, chapter 24, part 17, all taxes
20 levied and assessed in the state of Montana, except assessments made for special improvements in cities
21 and towns payable under 15-16-103, are payable as follows:

22 (1) ~~One-half~~ Except as provided in 15-16-101(2), the first installment ONE-HALF of the taxes ~~are~~
23 is ARE payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice
24 is postmarked, whichever is later, and ~~one-half are~~ the second installment is ONE-HALF ARE payable on
25 or before 5 p.m. on May 31 of each year.

26 (2) Unless ~~one-half~~ the first installment ONE-HALF of the taxes ~~are is ARE~~ paid on or before 5 p.m.
27 on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the
28 amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the
29 delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

30 (3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw

1 interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added
2 to the delinquent taxes as a penalty.

3 (4) If the taxes are paid by mail, they are considered paid when deposited in the United States mail,
4 postage prepaid and addressed to the county treasurer. The postmark on the envelope received by the
5 county treasurer is proof of the date the taxes were deposited in the mail.

6 ~~(4)~~(5) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without
7 penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

8 ~~(6)~~(6) A taxpayer may pay current year taxes without paying delinquent taxes. The county
9 treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for
10 one or more full taxable years, provided both halves of installments for HALVES OF the current tax year
11 have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been
12 delinquent the longest. The payment of the current tax year is not a redemption of the property tax lien for
13 any delinquent tax year.

14 ~~(6)~~(7) The penalty and interest on delinquent assessment payments for specific parcels of land may
15 be waived by resolution of the city council. A copy of the resolution must be certified to the county
16 treasurer."
17

18 **Section 3.** Section 15-16-103, MCA, is amended to read:

19 **"15-16-103. Special improvement districts with annual interest payments -- collection of special**
20 **assessments for all special improvements.** (1) Special assessments or installments of special assessments
21 made for special improvements in towns and cities, the bonds for which annual interest payments have
22 been specified and that were issued after July 1, 1981, and that have been duly and regularly made and
23 levied by resolution according to law, ~~shall~~ must be payable as follows:

24 (a) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year. If the
25 taxes are not paid on or before that date, they are subject to the same interest and penalty for nonpayment
26 as delinquent property taxes under 15-16-102. The penalty and interest may be waived by resolution of
27 the city council, as provided in 15-16-102~~(6)~~.

28 (b) One-half of the taxes are payable on or before 5 p.m. on May 31 of each year. If the taxes are
29 not paid on or before that date, they are subject to the same interest and penalty for nonpayment as
30 delinquent property taxes under 15-16-102. The penalty and interest may be waived by resolution of the

1 city council, as provided in 15-16-102~~(6)~~.

2 (2) The collection of special assessments or installments of special assessments made for special
3 improvements in towns and cities are as provided by 7-12-4181."

4

5 **Section 4.** Section 15-16-118, MCA, is amended to read:

6 **"15-16-118. Minimum tax payment -- limitation of appeal.** (1) If the taxes and special assessments
7 due for the current year shown in the written notice sent to the taxpayer as required in 15-16-101~~(2)~~ are
8 less than \$5 or if a tax notice of taxes and special assessments due on personal property is less than \$5,
9 the county treasurer shall notify the taxpayer that a minimum tax of \$5 is imposed and due. The \$5 tax
10 is imposed for purposes of defraying administrative expenses incurred in administering the tax. The
11 difference between the taxes and special assessments and the minimum tax of \$5 ~~is to~~ must be deposited
12 in the county general fund.

13 (2) The notification of the \$5 minimum tax required by subsection (1) must be made in the notice
14 required in 15-16-101~~(2)~~ or in the notice of taxes and special assessments due on personal property.

15 (3) The minimum tax imposed by this section is not affected by the limitation on property taxes
16 contained in Title 15, chapter 10, part 4.

17 (4) The minimum assessment imposed by this section does not apply to assessments levied against
18 property owned by the state or a county, consolidated local government, city, town, school district, or
19 other governmental entity unless the total assessments levied against all the property owned by the
20 governmental entity are less than \$5."

21

22 **Section 5.** Section 15-16-203, MCA, is amended to read:

23 **"15-16-203. Assessment of property previously exempt.** (1) Real property or improvements
24 exempt from taxation under Title 15, chapter 6, that during a tax year become the property of a person
25 subject to taxation must be assessed and taxed from the date of change from a nontaxable status to a
26 taxable status.

27 (2) As provided in subsection (3), the county treasurer shall adjust the tax that would have been
28 due and payable for the current year on the property under 15-16-102 if the property was not exempt.

29 (3) To determine the amount of tax due for previously exempt property, the county treasurer shall
30 multiply the amount of tax levied and assessed on the original taxable value of the property for the year

1 by the ratio that the number of days in the year that the property will be in taxable status bears to 365.

2 (4) If the property has not been assessed and taxed during the taxable year because of exemption,
3 the department shall prepare a special assessment for the property and the county treasurer shall determine
4 the amount of taxes that would have been due under subsection (2).

5 (5) Upon determining the amount of tax due, the county treasurer shall notify the person to whom
6 the tax is assessed, in the same manner as notification is provided under 15-16-101(2), of the amount due
7 and the date or dates on which the taxes due are payable as provided in 15-16-102."

8

9 **Section 6.** Section 15-18-112, MCA, is amended to read:

10 **"15-18-112. Redemption from property tax lien.** (1) Except as provided in subsection (3), in all
11 cases where a property tax lien has been acquired, the purchaser may pay the subsequent taxes assessed
12 against the property.

13 (2) Upon the redemption of the property from the property tax lien, the redemptioner shall, in
14 addition to the amount for which the property tax lien was sold, including penalties, interest, and costs,
15 pay the subsequent taxes assessed, with interest and penalty ~~thereon~~ at the rate established for delinquent
16 taxes in 15-16-102.

17 (3) The property tax lien may also be redeemed for a particular tax year by a partial payment of
18 that tax year as provided in 15-16-102(5) if:

19 (a) the property tax lien for the year in which the partial payment is made is owned by the county;
20 and

21 (b) the tax deed has not been issued pursuant to 15-18-211."

22

23 **Section 7.** Section 15-24-202, MCA, is amended to read:

24 **"15-24-202. Payment of tax -- interest and penalty -- display of tax-paid sticker.** (1) (a) ~~The~~ Except
25 as provided in 15-24-206 and subsection (1)(d) of this section, the owner of a mobile home or house trailer
26 which is not taxed as an improvement, as improvements are defined in 15-1-101, shall pay the personal
27 property tax in two payments, ~~except as provided in 15-24-206.~~

28 (b) The first payment is due within 30 days from the date of the notice of taxes due.

29 (c) The second payment is due no later than September 30 of the year in which the property is
30 assessed.

1 (d) If the second payment is \$25 or less, both payments are due at the time provided in subsection
 2 (1)(b).

3 ~~(d)(e)~~ If not paid on or before the date due, the tax is considered delinquent and subject to the
 4 penalty and interest provisions in 15-16-102 applicable to other delinquent property taxes. The penalty
 5 must be assessed and interest begins to accrue on the first day of delinquency.

6 (2) Upon request, the treasurer shall notify a lienholder if taxes on a mobile home or housetrailer
 7 have not been paid.

8 (3) Taxes assessed against a mobile home after the second payment date must be prorated to
 9 reflect the remaining portion of the tax year. The prorated taxes must be added to the following year's tax
 10 roll and, except as provided in 15-24-206, are due with and must be collected with the first payment due
 11 in that year.

12 (4) The department of revenue shall issue tax-paid stickers to the county treasurers. Except as
 13 provided in 15-24-206 and 15-24-209, if a mobile home or housetrailer is to be moved and all taxes,
 14 interest, and penalties on the mobile home or housetrailer are paid in full, the treasurer shall issue a tax-paid
 15 sticker to the owner of the mobile home or housetrailer. Prior to and while in the process of moving the
 16 mobile home or housetrailer, the owner shall display the tax-paid sticker, which must be visible from the
 17 exterior of the mobile home or housetrailer. ~~No~~ A mobile home movement declaration of destination
 18 provided for in 15-24-206 may not be issued unless:

19 (a) the taxes have been paid in full to the county treasurer; or

20 (b) the exceptions in 15-24-206(3) or 15-24-209 apply.

21 (5) On the movement of a mobile home or housetrailer in violation of this part, the county treasurer
 22 for the county where the mobile home or housetrailer first comes to rest shall issue a written notice to the
 23 owner, showing the amount of delinquent taxes, special assessments, penalties, and interest due. In
 24 addition to the penalties provided in 15-16-102, 20% or \$50, whichever is greater, must be added to the
 25 delinquent taxes as penalty for violation of this part. On receipt of the delinquent taxes, special
 26 assessments, penalties, and interest, the county treasurer shall forward all delinquent taxes, special
 27 assessments, penalties, and interest collected under 15-16-102 to the county treasurer for the county of
 28 origin. The county of destination shall retain the penalty."
 29

30 NEW SECTION. Section 8. Applicability. [This act] applies to all property taxes payable on or after

1 November 30, 1997.

2

3 NEW SECTION. **Section 9. Effective date.** [This act] is effective July 1, 1997.

4 -END-

1 HOUSE BILL NO. 516
2 INTRODUCED BY KEENAN
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PAYMENT OF PROPERTY TAXES; ~~PROVIDING~~
5 ~~FOR INSTALLMENTS RATHER THAN ONE HALF PAYMENTS OF TAX;~~ REQUIRING THAT ALL TAXES ARE
6 DUE IN THE FIRST INSTALLMENT HALF IF THE SECOND INSTALLMENT HALF IS LESS THAN \$25;
7 PROVIDING THAT TAXES ARE RECEIVED BY THE DUE DATE IF POSTMARKED BY THAT DATE;
8 AMENDING SECTIONS 15-16-101, 15-16-102, 15-16-103, 15-16-118, 15-16-203, 15-18-112, AND
9 15-24-202, MCA; AND PROVIDING AN EFFECTIVE DATE AND A DELAYED APPLICABILITY DATE."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE
REPRINTED. PLEASE REFER TO SECOND READING COPY
(YELLOW) FOR COMPLETE TEXT.**