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INTRODUCED BY

Cobb

House BILL NO. 562

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING CONSERVATION DISTRICTS WITH ADMINISTRATIVE PENALTY AUTHORITY OVER A VIOLATION OF DISTRICT REGULATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Administrative penalties -- restoration.** (1) The supervisors may impose an administrative penalty for a violation of the regulations adopted pursuant to this part if the following procedures have been followed:

(a) the supervisors have sent written notice of the intent to assess an administrative penalty on the violator unless the violation is corrected and any impacted areas are restored;

(b) the written notice pursuant to subsection (1)(a) includes the name of a contact person whom the violator may contact to request assistance in restoring the impacted areas; and

(c) 10 days have passed since the notice was sent, there has been no contact from the violator, and the violation persists.

(2) Administrative penalties may be assessed at a rate not to exceed \$100 for each day of violation, for a maximum of 10 days.

(3) Action under this section does not bar action under any other remedy available to the supervisors for violations of regulations adopted pursuant to this part.

(4) Administrative penalties collected under this part must be deposited to the credit of the conservation district pursuant to 76-15-523.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 76, chapter 15, part 7, and the provisions of Title 76, chapter 15, part 7, apply to [section 1].

**NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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