



AN ACT REVISING SPECIAL IMPROVEMENT DISTRICT LAWS FOR SANITARY AND STORM SEWERS; REVISING METROPOLITAN SANITARY AND/OR STORM SEWER DISTRICT LAWS; ALLOWING A COUNTY TO USE A TAX ASSESSMENT TO COLLECT OPERATIONAL COSTS INCURRED OR BILLED TO A DISTRICT; AND AMENDING SECTION 7-13-141, MCA.

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

**Section 1. Charges for services.** (1) The board of county commissioners has authority by ordinance or resolution to fix and establish just and equitable rates, charges, and rentals for the services and benefits directly or indirectly afforded by any sanitary or storm sewer system or billed to a sanitary and/or storm sewer district formed under this chapter for the purposes of providing sanitary and/or storm sewer services to the district.

(2) The rates, charges, and rentals must be as closely equitable as possible in proportion to the services and benefits rendered and may take into consideration the quantity of sewage produced, the sewage concentration, water pollution qualities in general, and the cost to dispose of sewage and storm waters.

(3) The rates, charges, and rentals may be assessed against the owners in the district if the board of county commissioners passes a resolution to levy and assess the rates, charges, and rentals. The resolution must contain:

- (a) a description of each lot or parcel of land with the name of the owner, if known; and
- (b) the amount of each partial payment and the day when the payment becomes delinquent.

(4) All resolutions, signed by the presiding officer of the board, must be kept on file in the office of the county clerk.

**Section 2.** Section 7-13-141, MCA, is amended to read:

**"7-13-141. Charges for services.** (1) The board of county commissioners ~~shall have~~ has authority by ordinance or resolution to fix and establish just and equitable rates, charges, and rentals for the services and benefits directly or indirectly afforded by any sanitary or storm sewer system operated by, controlled by, and under the jurisdiction of a metropolitan sanitary and/or storm sewer district formed under this part or billed to a metropolitan sanitary and/or storm sewer district formed under this part for the purposes of providing sanitary and/or storm sewer services to the district.

(2) ~~Such~~ The rates, charges, and rentals ~~shall~~ must be as nearly as possible equitable in proportion to the services and benefits rendered and may take into consideration:

- (a) the quantity of sewage produced and;
- (b) its concentration and water pollution qualities in general; and
- (c) the cost of disposal of sewage and storm waters.

(3) The rates, charges, and rentals may be assessed against the owners in the district if the board of county commissioners passes a resolution to levy and assess the rates, charges, and rentals. The resolution must contain:

- (a) a description of each lot or parcel of land with the name of the owner, if known; and
- (b) the amount of each partial payment and the day when the payment becomes delinquent.

(4) All resolutions, signed by the presiding officer of the board, must be kept on file in the office of the county clerk."

**Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 7, chapter 12, part 23, and the provisions of Title 7, chapter 12, part 23, apply to [section 1].

- END -

I hereby certify that the within bill,  
HB 268, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

HOUSE BILL NO. 268

INTRODUCED BY B. PHALEN, G. FRAZER, S. GALLOWAY, B. LER, M. NOLAND, B. USHER

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