



AN ACT REQUIRING NOTIFICATION OF THE COUNTY AND SCHOOLS REGARDING VARIOUS PROVISIONS OF AN URBAN RENEWAL DISTRICT WITHIN THE JURISDICTION OF A MUNICIPALITY; REQUIRING NOTIFICATION OF THE INTENDED USE OF TAX INCREMENT FINANCING TO THE COUNTY AND SCHOOLS; REQUIRING THE ANNUAL REPORT OF URBAN RENEWAL DISTRICTS TO BE MADE AVAILABLE UPON REQUEST TO THE COUNTY AND SCHOOLS WITHIN THE TERRITORIAL JURISDICTION OF A MUNICIPALITY; AND AMENDING SECTIONS 7-15-4211, 7-15-4221, 7-15-4237, AND 7-15-4282, MCA.

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

Section 1. Section 7-15-4211, MCA, is amended to read:

"7-15-4211. Preparation of comprehensive development plan for municipality. For the purpose of approving an urban renewal plan and other municipal purposes, ~~authority is hereby vested in every a~~ municipality may:

(1) ~~to prepare, to adopt, and to revise from time to time a comprehensive plan or parts thereof of a plan~~ for the physical development of the municipality as a whole, ~~(giving due regard to the environs and metropolitan surroundings)~~ with consideration for the county and school districts that include municipal territory;

(2) ~~to establish and maintain a planning commission for such that~~ purpose and related municipal planning activities; and

(3) ~~to make available and appropriate necessary funds therefor~~ for municipal planning activities."

Section 2. Section 7-15-4221, MCA, is amended to read:

"7-15-4221. Modification of urban renewal project plan. (1) An urban renewal project plan may be modified at any time by the local governing body. If modified after the lease or sale by the municipality of real property in the urban renewal project area, the modification is subject to any rights at law or in equity that a lessee or purchaser or the lessee's or purchaser's successor or successors in interest may be entitled to assert.

(2) An urban renewal plan may be modified by ordinance.

(3) Any urban renewal plan proposed for modification to provide tax increment financing for the district must be proposed with consideration for the county and school districts that include municipal territory.

~~(3)~~(4) All urban renewal plans approved or modified by resolution prior to May 8, 1979, are validated.

~~(4)~~(5) A plan may be modified by:

(a) the procedure set forth in 7-15-4212 through 7-15-4219 with respect to adoption of an urban renewal plan;

(b) the procedure set forth in the plan."

Section 3. Section 7-15-4237, MCA, is amended to read:

"7-15-4237. Annual report. (1) An agency authorized to transact business and exercise powers under part 43 and this part and part 43 shall file with the local governing body, on or before September 30 of each year, a report of its activities for the preceding fiscal year. A copy of the annual report must be made available upon request to the county and school districts that include municipal territory.

(2) The report ~~shall~~ must include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of the fiscal year.

(3) At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that ~~such~~ the report has been filed with the municipality and that the report is available for inspection during business hours in the office of the city clerk and in the office of the agency."

Section 4. Section 7-15-4282, MCA, is amended to read:

"7-15-4282. Authorization for tax increment financing. (1) Any urban renewal plan as defined in 7-15-4206, industrial district ordinance adopted pursuant to 7-15-4299, technology district ordinance adopted pursuant to 7-15-4295, or aerospace transportation and technology district ordinance adopted pursuant to 7-15-4296 may contain a provision or be amended to contain a provision for the segregation and application of tax increments as provided in 7-15-4282 through 7-15-4299.

(2) The tax increment financing provision must take into account the effect on the county and school districts that include municipal territory."

- END -

I hereby certify that the within bill,
HB 0562, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2011.

President of the Senate

Signed this _____ day
of _____, 2011.

HOUSE BILL NO. 562

INTRODUCED BY E. ARNTZEN

AN ACT REQUIRING NOTIFICATION OF THE COUNTY AND SCHOOLS REGARDING VARIOUS PROVISIONS OF AN URBAN RENEWAL DISTRICT WITHIN THE JURISDICTION OF A MUNICIPALITY; REQUIRING NOTIFICATION OF THE INTENDED USE OF TAX INCREMENT FINANCING TO THE COUNTY AND SCHOOLS; REQUIRING THE ANNUAL REPORT OF URBAN RENEWAL DISTRICTS TO BE MADE AVAILABLE UPON REQUEST TO THE COUNTY AND SCHOOLS WITHIN THE TERRITORIAL JURISDICTION OF A MUNICIPALITY; AND AMENDING SECTIONS 7-15-4211, 7-15-4221, 7-15-4237, AND 7-15-4282, MCA.