

1 SENATE BILL NO. 138
2 INTRODUCED BY S. FITZPATRICK

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT ACQUISITION BY THE STATE OF LAND
5 SUBJECT TO A PRESCRIPTIVE EASEMENT DOES NOT TERMINATE THE PRESCRIPTIVE EASEMENT."

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8
9 NEW SECTION. **Section 1. State acquisition of land subject to prescriptive easement.**

10 Acquisition by the state of land subject to a prescriptive easement does not terminate the prescriptive
11 easement.

12
13 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an

14 integral part of Title 70, chapter 17, part 1, and the provisions of Title 70, chapter 17, part 1, apply to [section 1].

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