

1 SENATE BILL NO. 500

2 INTRODUCED BY J. TREBAS, F. MANDEVILLE, E. BOLDMAN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A UNIFORM DURATION OF A LATECOMER
5 AGREEMENT OR PAYBACK DISTRICT; PROVIDING THAT A PROPERTY OWNER OR DEVELOPER IS
6 ENTITLED TO A PRO RATA SHARE OF A REIMBURSEMENT FOR THE INSTALLATION OF A PUBLIC
7 UTILITY ~~OR STREET IMPROVEMENTS~~ IN CERTAIN CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE
8 DATE AND A RETROACTIVE APPLICABILITY DATE."

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

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12 NEW SECTION. Section 1. Latecomer agreement or payback district -- duration. (1) The purpose
13 of this section is to establish a uniform duration for a ~~consolidated~~-local government to create a latecomer
14 agreement or payback district for constructing a water supply, sanitary sewer, or storm sewer system. As of [the
15 effective date of this act], a ~~consolidated~~-local government shall create a latecomer agreement or payback
16 district that is valid for not longer than 3 years from the date it is recorded.

17 (2) To be eligible for a latecomer agreement or payback district reimbursement, the installation of
18 the public utility ~~or street improvements~~ must have a reasonable possibility of directly benefiting the
19 development of other properties within a close proximity in the immediate future.

20 (3) Under this section, a property owner or developer is entitled to a pro rata share of the
21 reimbursement based on the respective contribution of the property owner or developer and the ~~consolidated~~
22 local government.

23 (4) For the purposes of this section, "latecomer agreement" or "payback district" means an
24 agreement between a ~~consolidated~~-local government and a property owner or developer for the sole purpose of
25 reimbursing the property owner or developer for the costs incurred for the installation of a public utility ~~or street~~
26 ~~improvements~~.

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

1 integral part of Title 7, chapter 13, ~~part 30~~, and the provisions of Title 7, chapter 13, ~~part 30~~, apply to [section 1].

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3 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2023.

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5 NEW SECTION. **Section 4. Retroactive applicability.** [This act] applies retroactively, within the
6 meaning of 1-2-109, to latecomer agreements or payback districts that were created by a ~~consolidated~~-local
7 government prior to [the effective date of this act].

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