

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING CERTAIN STATE LANDS AVAILABLE FOR
5 HOMESTEADING; REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO
6 IDENTIFY STATE-OWNED LANDS FOR HOMESTEADING; PROVIDING QUALIFIED HOMESTEADER
7 REQUIREMENTS; REQUIRING THE DEPARTMENT TO SELL HOMESTEAD DEEDS FOR THE FULL
8 MARKET VALUE OF THE PROPERTY; AND PROVIDING RULEMAKING AUTHORITY."

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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. State land available for homesteading -- requirements -- rulemaking.**

13 (1) By [1 year after the effective date of this act], the department shall identify all state lands of less than 100
14 contiguous acres in size that are suitable for homesteading pursuant to subsection (2).

15 (2) State lands are suitable for homesteading if:

- 16 (a) there is legal access to the property;
- 17 (b) the land is undeveloped;
- 18 (c) the property is not designated as a state park or fishing access site;
- 19 (d) the property does not have physical barriers making development impracticable; and
- 20 (e) the property does not have legal restrictions that prevent the sale and development of the
21 property for homesteading.

22 (3) A qualified homesteader is a person who has been a continuous Montana resident for the past
23 10 years.

24 (4) The department shall make the property identified under subsection (1) available for
25 homesteading by qualified homesteaders in parcels no larger than 5 acres in size. The sale of homestead
26 deeds under this section is exempt from subdivision laws, except that the development of a new or additional
27 water supply or sewage disposal system on the property must be approved pursuant to the review procedure,
28 fee, and other requirements of Title 76, chapter 4, part 1.

