

## HOUSE BILL NO. 162

INTRODUCED BY K. WALSH, C. NEUMANN, J. GILLETTE, L. BREWSTER

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A RESORT TAX LEVY FOR INFRASTRUCTURE MAY BE USED FOR CERTAIN HOUSING PROJECTS; REVISING THE DEFINITION OF "INFRASTRUCTURE"; AMENDING SECTION 7-6-1501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 7-6-1501, MCA, is amended to read:

**"7-6-1501. Definitions.** As used in this part, the following definitions apply:

(1) "Board of directors" means the board of directors of the resort area district.

(2) "Infrastructure" means:

(a) tangible facilities and assets related to water, sewer, wastewater treatment, storm water, and solid waste and utilities systems;

(b) fire protection, ambulance, and law enforcement;

(c) roads, bridges, and other transportation needs; and

(d) workforce and community housing projects.

(3) "Luxuries" means any gift item, luxury item, or other item normally sold to the public or to transient visitors or tourists. The term does not include food purchased unprepared or unserved, medicine, medical supplies and services, appliances, hardware supplies and tools, or any necessities of life.

(4) "Medical supplies" means items that are sold to be used for curative, prosthetic, or medical maintenance purposes, whether or not prescribed by a physician.

(5) "Medicine" means substances sold for curative or remedial properties, including both physician prescribed and over-the-counter medications.

(6) "Qualified elector" means a person who is qualified to vote under 13-1-111 and is a resident of a resort community, resort area, or proposed or established resort area district.

(7) "Resort area" means an area that:

(a) is an unincorporated area and is a defined contiguous geographic area;

(b) has a population of less than 2,500 according to the most recent federal census;

(c) derives more than 50% of its economic well-being from businesses catering to the recreational personal needs of persons traveling to or through the area for purposes not related to their income generation and excluding economic activity from health care, schools, government, and other services that primarily benefit residents; and

(d) has been designated by the department of commerce as a resort area not more than 2 years its establishment by the county commissioners as provided in 7-6-1508.

(8) "Resort area district" means a district created under 7-6-1532 through 7-6-1536, 7-6-1539 through 7-6-1544, 7-6-1546 through 7-6-1548, and 7-6-1550 that has been established as a resort area under 7-6-1508.

(9) "Resort community" means a community that:

(a) is an incorporated municipality;

(b) has a population of less than 5,500 according to the most recent federal census;

(c) derives more than 50% of its economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production and excluding economic activity from health care, schools, government, and other services that primarily benefit residents; and

(d) has been designated by the department of commerce as a resort community not more than 2 years before the petition of the electors or resolution of the governing body."

**NEW SECTION.** **Section 2.** **Effective date.** [This act] is effective on passage and approval.

- END -