

1 SENATE BILL NO. 220

2 INTRODUCED BY C. GLIMM

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO MUNICIPAL ANNEXATION;
5 CLARIFYING THAT COUNTY PARKS AND CERTAIN PUBLIC INFRASTRUCTURE ARE INCLUDED IN
6 ANNEXATION; AND AMENDING SECTION 7-2-4211, MCA."

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

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10 **Section 1.** Section 7-2-4211, MCA, is amended to read:

11 **"7-2-4211. Inclusion of roads, rights-of-way, and parks in annexation.** (1) In all instances of
12 annexation allowed under parts 42 through 47 of this chapter, the municipality shall include:

13 ~~(4)(A)~~ as allowed in 7-16-2324, parks created pursuant to Title 76, chapter 3, ~~except for county-~~
14 ~~owned parks unless expressly excluded from annexation by a county,~~ that are wholly surrounded by other
15 property being or already annexed; ~~and~~

16 ~~(2)(B)~~ the full width of any public streets or roads, including the rights-of-way, that are adjacent to the
17 property being annexed; and

18 ~~(3)(C)~~ public infrastructure and associated public land and easements, including any infrastructure
19 installed under public streets or roadways that are wholly surrounded by other property being or already
20 annexed or within any public streets or roads, including the rights-of-way, that are within or adjacent to property
21 being annexed unless expressly excluded from annexation by a county.

22 (2) AS USED IN THIS SECTION, "PUBLIC INFRASTRUCTURE" MEANS INFRASTRUCTURE OWNED, OPERATED,
23 AND MANAGED BY A COUNTY OR MUNICIPALITY, INCLUDING DRINKING WATER SYSTEMS, STORM WATER SYSTEMS,
24 WASTEWATER TREATMENT FACILITIES, SEWER SYSTEMS, SOLID WASTE FACILITIES, FIRE PROTECTION FACILITIES, ROADS,
25 STREETS, AND BRIDGES."

26 - END -