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SENATE BILL NO. 335

INTRODUCED BY C. FRIEDEL, D. ZOLNIKOV, K. BOGNER, E. BOLDMAN

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A CITY OR TOWN COUNCIL OR OTHER LEGISLATIVE BODY OF A MUNICIPALITY FROM ADOPTING A ZONING RESOLUTION OR RULE THAT PROHIBITS FRATERNITY OR SORORITY HOUSES WITHIN ONE-HALF MILE OF A COLLEGE OR UNIVERSITY CAMPUS; AND PROVIDING DEFINITIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

NEW SECTION. Section 1. Zoning near college or university campus -- fraternity and sorority houses permitted. A resolution or rule adopted pursuant to Title 76, chapter 2, part 3, may not prohibit a campus-recognized fraternity or sorority that has been granted permission by the property owner from establishing a fraternity house or a sorority house for fraternity or sorority members within one-half mile of the campus of the college or university with which the fraternity or sorority is associated.

(2) For the purposes of this section, the following definitions apply:

(a) "Campus-recognized fraternity or sorority" means a fraternity or a sorority that has met the formal chartering and recognition requirements at the college or university where it operates.

(b) "Fraternity house" or "sorority house" means a place of residence that is operated by a campus-recognized fraternity or sorority and that is used, occupied, and maintained by students enrolled in a college or university who are members of a fraternity or a sorority that is recognized by and subject to controls by the college or university.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 76, chapter 2, part 3, and the provisions of Title 76, chapter 2, part 3, apply to [section 1].

Amendment - 1st Reading/2nd House-blue - Requested by: Jill Cohenour - (H) Local Government

- 2023

68th Legislature 2023

Drafter: Laura Sankey Keip, 406-444-4410

SB0335.002.001

1 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

2

3 NEW SECTION. SECTION 4. RETROACTIVE APPLICABILITY. [THIS ACT] APPLIES RETROACTIVELY, WITHIN

4 THE MEANING OF 1-2-109, TO LOCAL ORDINANCES, RESOLUTIONS, ORDERS, REGULATIONS, MANDATES, OR DIRECTIVES

5 ENACTED, ADOPTED, OR IN FORCE ON [THE EFFECTIVE DATE OF THIS ACT].

6

- END -

AMENDED