

1 SENATE BILL NO. 335  
2 INTRODUCED BY C. FRIEDEL, K. BOGNER, D. ZOLNIKOV

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A CITY OR TOWN COUNCIL OR OTHER  
5 LEGISLATIVE BODY OF A MUNICIPALITY FROM ADOPTING A ZONING RESOLUTION OR RULE THAT  
6 PROHIBITS FRATERNITY OR SORORITY HOUSES WITHIN ONE-HALF MILE OF A COLLEGE OR  
7 UNIVERSITY CAMPUS; ~~AND PROVIDING DEFINITIONS;~~ AND PROVIDING AN IMMEDIATE 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. Zoning near college or university campus -- fraternity and sorority  
13 **houses permitted.** A resolution or rule adopted pursuant to Title 76, chapter 2, part 3, may not prohibit a  
14 campus-recognized fraternity or sorority from establishing a fraternity house or a sorority house for fraternity or  
15 sorority members within one-half mile of the campus of the college or university with which the fraternity or  
16 sorority is associated.

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

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

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

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

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28 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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NEW SECTION. **Section 4. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to local ordinances, resolutions, orders, regulations, mandates, or directives enacted, adopted, or in force on [the effective date of this act].

- END -

AMEND