

1 HOUSE BILL NO. 369
2 INTRODUCED BY M. MALONE, S. GUNDERSON, D. BEDEY, S. GIST, L. BREWSTER, J. DOOLING, C.
3 HINKLE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LOCAL GOVERNING BODY COUNTY TO SUBMIT
6 A REFERENDUM TO ADOPT A GROWTH POLICY TO THE QUALIFIED ELECTORS; AMENDING SECTION
7 76-1-604, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

10
11 **Section 1.** Section 76-1-604, MCA, is amended to read:

12 **"76-1-604. Adoption, revision, or rejection of growth policy.** (1) The governing body shall adopt a
13 resolution of intention to adopt, adopt with revisions, or reject the proposed growth policy.

14 (2) (a) If the governing body board of county commissioners adopts a resolution of intention to
15 adopt a growth policy, the governing body board of county commissioners ~~may~~ shall submit to the qualified
16 electors of the area covered by the growth policy proposed by the governing body board of county
17 commissioners at the next primary or general election or at a special election the referendum question of
18 whether or not the growth policy should be adopted. A special election must be held in conjunction with a
19 regular or primary election.

20 (3)(b) A governing body board of county commissioners may:

21 (a)(i) revise an adopted growth policy following the procedures in this chapter for adoption of a
22 proposed growth policy; or

23 (b)(ii) repeal a growth policy by ~~resolution~~ submitting to the qualified electors of the area covered by
24 the growth policy a referendum to repeal the growth policy in accordance with the procedure provided in
25 subsection (2)(a).

26 (3) (a) If the city council adopts a resolution of intention to adopt a growth policy, the city council
27 may submit to the qualified electors of the area covered by the growth policy proposed by the city council at the
28 next primary or general election or at a special election the referendum question of whether or not the growth

1 policy should be adopted. A special election must be held in conjunction with a regular or primary election.

2 (b) A city council may:

3 (i) revise an adopted growth policy following the procedures in this chapter for adoption of a

4 proposed growth policy; or

5 (ii) repeal a growth policy by resolution.

6 (4) The qualified electors of the area covered by the growth policy may by initiative or referendum
7 adopt, revise, or repeal a growth policy under this section. A petition for initiative or referendum must contain
8 the signatures of 15% of the qualified electors of the area covered by the growth policy.

9 (5) A master plan adopted pursuant to this chapter before October 1, 1999, may be repealed
10 following the procedures in this section for repeal of a growth policy.

11 (6) Until October 1, 2006, a master plan that was adopted pursuant to this chapter before October
12 1, 1999, may be revised following the procedures in this chapter for revision of a growth policy.

13 (7) Except as otherwise provided in this section, the provisions of Title 7, chapter 5, part 1, apply to
14 an initiative or referendum under this section."

15

16 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

17

- END -