

HOUSE BILL NO. 395

INTRODUCED BY J. DOOLING

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING ZONING DISTRICT LAWS; PROHIBITING THE ESTABLISHMENT OF NEW ZONING DISTRICTS DURING DECLARATIONS OF EMERGENCY AND DISASTER; 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. New zoning districts prohibited during times of emergency or disaster -- exception. Except as provided in 76-2-206, a board of county commissioners may not establish a new zoning district as allowed in 76-2-202 during a state of emergency or disaster declared by the governor pursuant to Title 10, chapter 3.

NEW SECTION. Section 2. New zoning districts prohibited during times of emergency or disaster -- exception. Except as provided in 76-2-306, the local city or town council or other legislative body may not establish a new zoning district as allowed in 76-2-302 during a state of emergency or disaster declared by the governor pursuant to Title 10, chapter 3.

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

(2) [Section 2] 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 2].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 5. Retroactive applicability. [This act] applies retroactively, within the

1 meaning of 1-2-109, to zoning districts created on or after January 1, 2020.

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