

HOUSE BILL NO. 494
AS AMENDED BY GOVERNOR 4/26/2011

AN ACT REVISING PROVISIONS GOVERNING EXEMPTION FROM SUBDIVISION REVIEW FOR THE SALE, RENT, OR LEASE, OR OTHER CONVEYANCES OF BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS; EXEMPTING YOUTH CAMPS FROM SUBDIVISION REVIEW; AMENDING SECTION 76-3-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

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

"76-3-204. Exemption for conveyances RENT OR LEASE of one or more parts of a structure or improvement structures or improvements. ~~The (1) Subject to subsection (2), the sale, rent, or lease, or other conveyance of one or more parts of a building, structure, or other improvement one or more~~ UP TO FOUR buildings, structures, or other improvements, whether existing or proposed, on a single parcel of land or on multiple parcels of land in the same ownership is not a division of land, as that term is defined in this chapter, and is not subject to the requirements of this chapter.

~~(2) The provisions of subsection (1) apply only if the sale, rent, or lease, or other conveyance is in conformance with applicable local zoning regulations or when local zoning regulations are not in effect."~~

"NEW SECTION. **Section 2. Exemption for youth camps.** A youth camp, as defined in 50-52-101, is not subject to the requirements of this chapter."

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

"NEW SECTION. **Section 5. {standard} Retroactive applicability.** (1) [Section 1] applies retroactively, within the meaning of 1-2-109, to the rent or lease of one or more parts of buildings, structures, or other improvements existing or under construction prior to [the effective date of this act].

(2) [Section 2] applies retroactively, within the meaning of 1-2-109, to youth camps under construction or in operation prior to [the effective date of this act]."

"76-3-204. Exemption for rent or lease of one or more parts of structures or improvements. (1) Subject to subsection (2), the rent or lease of one or more parts of up to four buildings, structures, or other improvements, whether existing or proposed, on a single parcel of land or on multiple parcels of land in the same ownership is not a division of land, as that term is defined in this chapter, and is not subject to the requirements of this chapter.

*** Note, "subsection (2)" as noted in the final text refers to a deleted subsection.