

HOUSE BILL NO. 387

INTRODUCED BY D. BAUM, C. SPRUNGER

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE DOCUMENTS NEEDED TO BE FILED FOR A RECONSTRUCTED OR NEW HIGHWAY; AMENDING SECTIONS 60-2-209 AND 60-4-108, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 60-2-209, MCA, is amended to read:

"60-2-209. ~~Description and plan~~ Plan of new highway or reconstructed or controlled-access facility. (1) Whenever the department establishes the location, width, and lines of any new, reconstructed, or proposed highway or the commission designates a road, street, or highway as a controlled-access facility, the department shall ~~make a description and file a right-of-way~~ plan showing the centerline and the established width, the immediate boundary lines of all private property over, across, or through which the highway passes, the name of the owner of the property, the boundaries of that part of the private ownership included within the right-of-way of the highway, the parcel number assigned to that part of each ownership included within the highway right-of-way, together with the project number under which the highway is or is proposed to be constructed or reconstructed.

(2) Reference to the project number, parcel number, and section or quarter section, tract, block, or lot from which the same has been subdivided is a valid description of the parcel in all deeds given to or received from the state in which a parcel is transferred."

Section 2. Section 60-4-108, MCA, is amended to read:

"60-4-108. No compensation in certain cases -- exceptions. (1) Whenever the department files a ~~description and right-of-way~~ plan as provided in 60-2-209, no consideration, allowance, or assessment of values or compensation shall ~~may~~ be made in the purchase or condemnation of buildings or improvements or subdivisions placed or erected on the land covered by the plan after the filing.

Amendment - 1st Reading-white - Requested by: Denise Baum - (H) Transportation

- 2025

69th Legislature 2025

Drafter: Casey Pallister,

HB0387.001.001

1 (2) The establishment of the highway location covered by the ~~description and right-of-way~~ plan
2 shall ~~must~~ be ineffective 1 year after filing if no action to condemn or acquire the property has been
3 commenced.

4 (3) Nothing in this section or in 60-2-209 applies to crops or similar improvements planted on the
5 lands described. They are governed by 70-30-302."

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7 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2025.

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