



AN ACT REVISING EXEMPTIONS FROM THE DAM SAFETY ACT; PROVIDING THAT DAMS USED FOR PUBLIC SEWAGE AND DISPOSAL SYSTEMS ARE EXEMPT FROM THE DAM SAFETY ACT; AND AMENDING SECTION 85-15-107, MCA.

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

Section 1. Section 85-15-107, MCA, is amended to read:

"85-15-107. Exemptions. (1) The provisions of 85-15-108 through 85-15-110, 85-15-209 through 85-15-216, 85-15-305, 85-15-401, 85-15-502, and 85-15-503 do not apply to:

(a) dams subject to a permit issued pursuant to 82-4-335 for the period during which the dam is subject to the permit;

(b) federal dams and reservoirs;

(c) dams and reservoirs licensed and subject to inspection by the federal energy regulatory commission; or

(d) dams that are required to obtain a certificate of compliance pursuant to 75-20-201 for the period during which the dam is subject to the certificate.

(2) The provisions of 85-15-108 through 85-15-110, 85-15-209 through 85-15-216, 85-15-401, 85-15-502, and 85-15-503 do not apply to nonfederal dams and reservoirs located on federal lands if they are subject to a dam safety review by a federal agency.

(3) The provisions of 85-15-305 do not apply to dams and reservoirs at a national priority list site as defined by the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), Public Law 96-510.

(4) The provisions of 85-15-108 through 85-15-110, 85-15-209 through 85-15-216, 85-15-401, 85-15-502, and 85-15-503 do not apply to dams used for a public sewage system or a public sewage disposal

system as regulated by the department of environmental quality pursuant to Title 75, chapter 6, part 1, and Title 76, chapter 4, part 1."

- END -

I hereby certify that the within bill,
HB 48, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE BILL NO. 48

INTRODUCED BY K. WALSH

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
AN ACT REVISING EXEMPTIONS FROM THE DAM SAFETY ACT; PROVIDING THAT DAMS USED FOR
PUBLIC SEWAGE AND DISPOSAL SYSTEMS ARE EXEMPT FROM THE DAM SAFETY ACT; AND
AMENDING SECTION 85-15-107, MCA.