

HOUSE BILL NO. 208

INTRODUCED BY G. OVERSTREET, T. SHARP, C. COCHRAN, M. BERTOGLIO, C. SPRUNGER, K.

SEEKINS-CROWE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A MUNICIPALITY TO REGULATE UNAUTHORIZED CAMPING ON PUBLIC PROPERTY OR FACILITIES; AND AMENDING SECTION 7-1-4124, MCA."

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

Section 1. Section 7-1-4124, MCA, is amended to read:

"7-1-4124. Powers. A municipality with general powers has the power, subject to the provisions of state law, to:

- (1) enact ordinances and resolutions;
- (2) except as provided in 7-5-103(2)(d)(iv) and 7-5-121(2)(c)(iv), sue and be sued;
- (3) buy, sell, mortgage, rent, lease, hold, manage, or dispose of any interest in real or personal property;
- (4) contract with persons, corporations, or any other governmental entity;
- (5) pay debts and expenses;
- (6) borrow money;
- (7) solicit and accept bequests, donations, or grants of money, property, services, or other advantages and comply with any condition that is not contrary to the public interest;
- (8) execute documents necessary to receive money, property, services, or other advantages from the state government, the federal government, or any other source;
- (9) make grants and loans of money, property, and services for public purposes;
- (10) require the attendance of witnesses and production of documents relevant to matters being considered by the governing body;
- (11) hire, direct, and discharge employees and appoint and remove members of boards;
- (12) ratify any action of the municipality or its officers or employees that could have been approved

Amendment - 1st Reading-white - Requested by: Greg Overstreet - (H) Local Government

- 2025

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Drafter: Toni Henneman,

HB0208.001.001

1 in advance;

2 (13) have a corporate seal and flag;

3 (14) acquire by eminent domain, as provided in Title 70, chapter 30, any interest in property for a

4 public use authorized by law;

5 (15) initiate a civil action to restrain or enjoin violation of an ordinance;

6 (16) enter private property, obtaining warrants when necessary, for the purpose of enforcing

7 ordinances that affect the general welfare and public safety;

8 (17) conduct a census;

9 (18) conduct inventories of public property and preparatory studies;

10 (19) condemn and demolish hazardous structures;

11 (20) purchase insurance and establish self-insurance plans;

12 (21) impound animals and other private property creating a nuisance or obstructing a street or

13 highway;

14 (22) establish quarantines;

15 (23) classify all violations of city ordinances as civil infractions, with civil penalties, as provided in 7-

16 1-4150; and

17 (24) exercise powers not inconsistent with law necessary for effective administration of authorized

18 services and functions; and

19 (25) prohibit or otherwise regulate: ~~the unauthorized occupancy of or camping on or in public~~

20 property or facilities owned by or under the control of the municipality

21 (a) temporarily or permanently storing personal property on municipal real property; and

22 (b) sleeping or camping on or otherwise inhabiting municipal real property."

23 - END -