

HOUSE BILL NO. 808

INTRODUCED BY P. TUSS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE MONTANA BROWNFIELDS
REVITALIZATION ACT; PROVIDING DEFINITIONS; AUTHORIZING THE MONTANA BROWNFIELDS FUND;
PROVIDING FOR BROWNFIELD REDEVELOPMENT VIABILITY AND ELIGIBILITY; PROVIDING
RULEMAKING AUTHORITY; ELIMINATING THE MONTANA PETROLEUM BROWNFIELDS
REVITALIZATION ACT; PROVIDING FOR A TRANSFER OF GENERAL FUNDS; PROVIDING A
STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502 AND 75-11-309, MCA; AND REPEALING
SECTIONS 75-11-401, 75-11-402, 75-11-403, 75-11-407, 75-11-408, AND 75-11-409, MCA."

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

NEW SECTION. Section 1. Short title. [Sections 1 through 8] may be cited as the "Montana
Brownfields Revitalization Act".

NEW SECTION. Section 2. Findings and intent -- purposes. The legislature finds that:

(1) real properties exist across the state where the stigma of hazardous substance and petroleum
contamination hinders the development or best use of the property. These properties may be eligible for
brownfields funding.

(2) the assessment and cleanup of hazardous substance and petroleum brownfields sites should
be encouraged and facilitated to reduce threats to human health and the environment, prepare properties for
reuse and redevelopment, and return property to the local tax rolls;

(3) the petroleum tank release cleanup fund established in 75-11-313 does not immediately
address all petroleum tank release sites in Montana;

(4) not all sites impacted by hazardous substances are assessed or cleaned up by the
Comprehensive Environmental Cleanup and Responsibility Act in chapter 10, part 7, of this title or the federal
Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, et seq.

1 repealed:

2 75-11-401. Short title.

3 75-11-402. Findings and intent -- purposes.

4 75-11-403. Definitions -- application.

5 75-11-407. Viability.

6 75-11-408. Brownfields site eligibility at petroleum tank release sites -- determinations and limitations.

7 75-11-409. Use of petroleum brownfields funding acquired by state -- limitations.

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9 NEW SECTION. Section 12. Notification to tribal governments. The secretary of state shall send a
10 copy of [this act] to each federally recognized tribal government in Montana.

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12 NEW SECTION. SECTION 13. TRANSFER OF FUNDS. THE STATE TREASURER SHALL TRANSFER THE
13 FOLLOWING AMOUNTS FROM THE GENERAL FUND TO THE BROWNFIELDS SITE REDEVELOPMENT FUND PROVIDED FOR IN
14 [SECTION 8]:

15 FISCAL YEAR 2026 ~~\$500~~ \$200,000

16 FISCAL YEAR 2027 ~~\$500~~ \$200,000

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18 NEW SECTION. Section 14. Codification instruction. [Sections 1 through 8] are intended to be
19 codified as an integral part of Title 75, chapter 11, and the provisions of Title 75, chapter 11, apply to [sections
20 1 through 8].

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