

Amendment - 1st Reading/2nd House-blue - Requested by: Forrest Mandeville - (S) Local Government

- 2025

69th Legislature 2025

Drafter: Maddie Krezowski,

HB0658.001.003

HOUSE BILL NO. 658

INTRODUCED BY J. HINKLE, C. HINKLE, L. BREWSTER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LOCAL BOARD OF HEALTH POWERS RELATED TO SANITATION; REMOVING THE ABILITY TO ADOPT SANITATION-RELATED RULES THAT ARE MORE STRINGENT THAN STATE STANDARDS; PROVIDING THAT SUBSURFACE ONSITE WASTEWATER TREATMENT SYSTEMS ALREADY INSTALLED AND FUNCTIONING ARE NOT SUBJECT TO AMENDMENTS OR UPDATES TO LOCAL BOARD OF HEALTH RULES; AMENDING SECTIONS 50-2-116 AND 50-2-130, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, ~~AND~~ A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE."

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

Section 1. Section 50-2-116, MCA, is amended to read:

"50-2-116. Powers and duties of local boards of health. (1) Except as provided in subsection (5), in order to carry out the purposes of the public health system, in collaboration with federal, state, and local partners, each local board of health shall:

- (a) recommend to the governing body the appointment of a local health officer who is:
 - (i) a physician;
 - (ii) a person with a master's degree in public health; or
 - (iii) a person with equivalent education and experience, as determined by the department;
- (b) elect a presiding officer and other necessary officers;
- (c) adopt bylaws to govern meetings;
- (d) hold regular meetings at least quarterly and hold special meetings as necessary;
- (e) identify, assess, prevent, and ameliorate conditions of public health importance through:
 - (i) epidemiological tracking and investigation;
 - (ii) screening and testing;

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1 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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3 NEW SECTION. **Section 4. Retroactive applicability.** The requirements of 50-2-116(8)(a) and (8)(b)
4 apply retroactively, within the meaning of 1-2-109, to subsurface onsite wastewater treatment systems installed
5 on or before [the effective date of this act].

6

7 NEW SECTION. **Section 5. Termination.** [Section 1(8)(a) and (8)(c)] terminates July 1, 2027.

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