

HOUSE BILL NO. 289

INTRODUCED BY E. GREEF

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ZONING REQUIREMENTS FOR TARGETED ECONOMIC DEVELOPMENT DISTRICTS; ALLOWING PROVISIONS ADOPTED THROUGH ZONING BY PETITION TO FULFILL THE ZONING REQUIREMENTS FOR CREATION OF A TARGETED ECONOMIC DEVELOPMENT DISTRICT; AND AMENDING SECTION 7-15-4279, MCA."

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

Section 1. Section 7-15-4279, MCA, is amended to read:

"7-15-4279. Targeted economic development districts. (1) A local government may, by ordinance and following a public hearing, authorize the creation of a targeted economic development district in support of value-adding economic development projects. The purpose of the district is the development of infrastructure to encourage the location and retention of value-adding projects in the state.

(2) A targeted economic development district:

(a) must consist of a continuous area with an accurately described boundary that is large enough to host a diversified tenant base of multiple independent tenants;

(b) must be zoned for use in accordance with:

(i) the area growth policy, as defined in 76-1-103; or

(ii) the development pattern and zoning regulations or the development district adopted under Title 76, chapter 2, part 1;

(c) may not comprise any property included within an existing tax increment financing district;

(d) must, prior to its creation, be found to be deficient in infrastructure improvements as stated in the resolution of necessity adopted under 7-15-4280;

(e) must, prior to its creation, have in place a comprehensive development plan adopted by the local governments that ensures that the district can host a diversified tenant base of multiple independent tenants; and

(f) may not be designed to serve the needs of a single district tenant or group of nonindependent tenants.

(3) The local government may use tax increment financing pursuant to the provisions of 7-15-4282 through 7-15-4294 for the targeted economic development district. If the local government uses tax increment

1 financing, the use of and purpose for tax increment financing must be specified in the comprehensive
2 development plan required in subsection (2)(e).

3 (4) For the purposes of 7-15-4277 through 7-15-4280:

4 (a) "secondary value-added products or commodities" means products or commodities that are
5 manufactured, processed, produced, or created by changing the form of raw materials or intermediate products
6 into more valuable products or commodities that are capable of being sold or traded in interstate commerce;

7 (b) "secondary value-adding industry" means a business that produces secondary value-added products
8 or commodities or a business or organization that is engaged in technology-based operations within Montana
9 that, through the employment of knowledge or labor, adds value to a product, process, or export service resulting
10 in the creation of new wealth."

11 - END -