



# BILL TABLE – 2023 MONTANA LEGISLATURE

This table contains the bills we are working on during the 2023 Montana Legislature. For more, contact Amy Seaman at [aseaman@mtaudubon.org](mailto:aseaman@mtaudubon.org), or Peter Dudley at [peter@mtaudubon.org](mailto:peter@mtaudubon.org).

**Acronyms: FWP - MT Fish, Wildlife & Parks; DNRC - MT Dept of Natural Resources & Conservation**

Legislation we are tracking falls in these categories:

- [Wildlife & Habitat Protection](#)
- [Wildlife Program Funding](#)
- [Climate Change & Energy](#)
- [General Environmental Protection](#)
- [Public Lands, Recreation & Parks](#)
- [Subdivisions & Land Use Planning](#)

Legislation at the 2019 Montana Legislature			
Bill Number/ Sponsor	Description	Status	Audubon Position
<b>Wildlife &amp; Habitat Protection</b>			
<a href="#">HB 59</a> Rep. Ross Fitzgerald (R- Power)	This bill extends the deadline for the livestock loss program that helps ranchers recover losses caused by wolves, mountain lions, and grizzly bears to cattle, swine, horses, mules, sheep, goats, llamas, and livestock guard animals on state, federal, tribal, and private land. The program helps build support for maintaining the full suite of Montana’s native wildlife, including predators, on the landscape.	Transmitted to Governor 2/21	Support
<a href="#">SB 58</a> Sen. Steve Hinebauch (R-Wibaux)	This bill increases the financial compensation cap offered to landowners as assistance for access to their land for the public. Currently compensation is \$13 per hunter day and tops	Hearing Scheduled in House Appropriations on 3/27, Passed	Support

	out at \$50,000 instead of the current \$25,000.	House Second Reading 99-1	
<b><a href="#">SB 84</a></b> Sen. Bob Brown (R-Trout Creek)http	This bill amends the enforcement sections of FWP regulation to add drones to the definition of “aircraft”. While this bill does take a positive step towards reducing the likelihood that drones are being used to kill, take, shoot, locate, concentrate, pursue, drive, rally, or stir up game animals or game birds, species like wolves need to be added to make the intent of the enforcement request clear. Many other species, like grizzly bears, deer, elk, and antelope are listed verbatim. As written, we oppose it, but adding wolves would be a simple fix.	Passed through Senate 48-1 on 1/27, heard in House Fish, Wildlife, and Parks on 3/17	Oppose
<b><a href="#">SB 85</a></b> Sen. Mike Lang (R-Malta)	This bill states that grizzly bears will be managed at numbers upon delisting from the federal Endangered Species Act to keep them from returning to the list. It lacks language ensuring a healthy population that is well-connected with bears moving between the established recovery zones to bring better genetic diversity to the populations. It also lacks language ensuring that other threats to grizzly bears are eliminated and should include education and more preventative measures for management.	Passed through Senate 37-12 on 1/27, Heard in House Fish, Wildlife, & Parks 3/16	Oppose
<b><a href="#">SB 295</a></b> Sen. Bruce Gillespie (R-Ethridge)	This bill brings forth a grizzly bear policy for Montana that would lay out management regulations should grizzly bears be delisted from the Endangered Species Act. The bill unfortunately stresses lethal management of grizzly bears over other methods of management and only slightly clarifies when a grizzly bear can be killed if it is threatening livestock or people; from what was passed in 2021 through Senate Bill 98. The bill still allows bears to be killed on public land if the Department of Fish, Wildlife, and Parks, (FWP) finds the animal is threatening livestock or people and it makes it mandatory for individuals to complain directly to the director of FWP which seems unreasonable and excludes biologists on the ground. The definition of threatening in regards to interacting with grizzly bears is not defined and this	Passed the Senate, heard in House Fish, Wildlife & Parks 3/21	Oppose

	bill really changes the tone about how the state will manage bears on public lands.		
<a href="#"><b>HB 473</b></a> Rep. Steve Gunderson (R-Libby)	This bill would change the site-specific standard selenium in Lake Koocanusa from .8 micrograms a liter and replace it with the statewide, inapplicable standard of 1.5 micrograms per liter. The site specific standard was determined after years of study and stakeholder involvement to determine the standard that would be protective of beneficial uses in Lake Koocanusa and the Kootenai. This bill would arbitrarily replace that standard for the benefit of a Canadian coal mining corporation.	Passed third reading in the House 64-34, referred to Senate Natural Resources	Oppose
<a href="#"><b>HB 462</b></a> Rep. Marta Bertoglio (R-Clancy)	This bill would strip over \$30 million in voter-approved revenue from the Habitat Montana program and permanently block the program from tapping those funds again. HB 462 seeks to redistribute how recreational cannabis tax revenue is spent in Montana. This goes against the will of Montana voters who approved recreational cannabis with the understanding that a portion of the revenue would go toward Habitat Montana. There is plenty of money to go around to fund new programs along with Habitat Montana, a popular land protection and access fund that among other things contributed to the purchase of the Big Snowy Mountains Wildlife Management Area.	Heard in House Appropriations on 2/16	Oppose
<a href="#"><b>SB 442</b></a> Sen. Mike Lang (R-Malta)	Similar to HB 462, SB 442 would shift all of the marijuana tax revenue money allocated for Habitat Montana to counties for road maintenance. The bill argues that this money would fund "habitat access for hunters and recreationists, as a justification to strip \$30 million a year away from critical wintering habitat for wildlife and valuable funding for small agricultural producers.	Heard in Senate Finance & Claims on 3/17, Passed Second Reading on 3/14, 33-17	Oppose
<a href="#"><b>SB 669</b></a> Bill Mercer	HB 669 would zero-out all marijuana revenue that was dedicated to conservation and outdoor recreation programs by Montana voters and by	Heard in House Appropriations on	Oppose

(R-Billings)	the previous Legislature. This bill would take away \$50 million from state parks, recreation, Habitat Montana, and non-game wildlife management. It would also permanently block these programs from ever using these funds again. HB 669 is especially egregious, as it goes beyond the other two marijuana revenue bills and specifically removes funding for all things conservation, not just Habitat Montana.	2/23	
<a href="#"><u>SB 285</u></a> Sen. Carl Glimm (R-Kila)	This bill creates a number of exemptions for water quality impacts from residential and commercial development. The bill would exempt sewage disposal facilities that impact surface waters that are located more than 500 feet from the pollution source, or lower in elevation, from nondegradation review. The bill would also exempt developments from storm drainage review if they are exempt from normal subdivision review requirements, including under the family transfer exemption.	Hearing scheduled for 3/27 in House Natural Resources	Oppose
<a href="#"><u>SB 293</u></a> Sen. Mark Nolan (R-Bigfork)	This bill would make it legal to place education and outreach signs about aquatic and terrestrial invasive species threats at highway rest stops across the state. It is surprising to need a bill to do this, but we do!	Bill passed the Senate Floor 49-0, Heard in House Transportation 3/20	Support
<a href="#"><u>HB 627</u></a> Rep. Paul Fielder (R-Thompson Falls)	This bill states that the Fish & Wildlife Commission must allow the use of snares for trapping wolves in occupied grizzly bear habitat outside “of existing grizzly bear recovery zones that have been delineated by the United States fish and wildlife service and existing lynx protection zones that have been delineated by the Montana department of fish, wildlife, and parks”. Current law restricts the mandatory legal use of snares to private land.	Failed to pass 2nd reading on the House Floor 47-53 on 3/02	Oppose
<a href="#"><u>HB 628</u></a> Rep. Paul Fielder (R-Thompson Falls)	Codifies the wolf trapping season into law and requires it to be from the Monday after Thanksgiving until March 15. The bill repeals the Fish & Game Commission's ability to adjust dates based on management units or regional	Failed to pass 2nd reading on the House Floor 49-51 on 3/02	Oppose

	recommendations.		
<a href="#">HB 630</a> Rep. Paul Fielder (R-Thompson Falls)	This bill does the same thing as HB 627 but for the hunting of black bears with hounds; it requires the Fish & Wildlife Commission to allow black bear hunting with hounds in occupied grizzly bear habitat outside of existing grizzly bear recovery zones that have been delineated by the United States fish and wildlife service.	Failed to pass 2nd reading on the House Floor 47-53 on 3/02	Oppose
<a href="#">SB 357</a> Sen. Steve Hinebauch (R-Wilbaux)	This bill would limit the length of conservation easements that use state funds to no longer than 40 years. Conservation easements are important for protecting wildlife habitat as well as farmland and ranchland. State funds are important funding sources for numerous conservation easements around our state and are an important tool for protecting large, intact open spaces from development. Limiting these easements to no more than 40 years limits the conservation that can be achieved, increases insecurity for landowners with conservation easements, and increases administrative burdens as these easements would likely need to be renewed more regularly.	Tabled in Senate Fish and Game on 2/28	Oppose
<a href="#">HB 765</a> Rep. Sharon Stewart-Peregoy	This bill repeals authorization for wolf hunters and trappers to receive “expense reimbursements” upon successful harvest of a wolf in Montana. This precedent was established during the 2021 legislature and is a bounty on wolves that gives money to tappers once an animal is killed. It was developed after the Idaho-based, Foundation for Wildlife Management account in Idaho, which now also funds the Montana reimbursement program.	Tabled in House Fish, Wildlife, and Parks on 2/28	Support
<a href="#">HB 779</a> Rep. Marvin Weatherwax (D-Browning)	Support.This bill restores the Fish, Wildlife, & Parks Commission authority to restrict wolf harvest in areas directly adjacent to National Parks. This would allow the Commission to remove the need to have quotas in those areas and would allow the Commission more	Tabled in House Fish, Wildlife, and Parks on 2/28	Support

	flexibility in wolf harvest management.		
<a href="#">SJ 14</a> Rep. Mike Lang (R-Malta)	This resolution opposes efforts by the U.S. Fish and Wildlife Service to consider a transplant of wild buffalo to the Charles M Russell, National Wildlife Refuge. CMR Refuge is the second largest refuge in the contiguous United States, and provides a significant opportunity for bison conservation and restoration. This bill runs counter to the Trump administration's Buffalo Conservation Initiative from four years ago, and recent efforts by Sec. Deb Haaland to step up restoration of our national mammal on Tribal and other appropriate federal lands. If passed, this bill would signal that the State does not want to be involved in bison reintroduction on federal lands in Montana.	Heard in House Fish, Wildlife, and Parks Committee on 3/23	Oppose
<a href="#">HB 372</a> Rep. Paul Fielder (R-Thompson Falls)	This bill would create a constitutional referendum to "give preference to hunting, fishing, and trapping by citizens as the primary but not exclusive means of the state's management of wild fish and wildlife populations for the benefit of all Montanans." Particularly problematic is the impact this bill would have on more than 740 non-game species and the preferred treatment these activities would receive by becoming constitutional rights. Hunting and fishing are already protected in the Constitution under the "Preservation of harvest heritage" clause, and this bill seeks to include trapping as a constitutional right. Special interest groups could also challenge wildlife management policies or fees, placing the financial burden on agencies to defend themselves.	Heard in House FWP on 3/17	Oppose
<a href="#">HB 520</a> Rep. Denley Loge (R-St. Regis)	This bill proposes to study the effects of private ponds on invasive species, native fish species, fish-stocking, and overall aquatic resource health. If passed the study will be overseen by the Environmental Quality Council.	Hearing scheduled for Senate Natural Resources on 3/29	Support
<a href="#">HB 821</a> Rep. Marty Malone (R-Pray)	This bill proposes one-time-only, \$500,000 in funding for noxious weed treatment in Yellowstone, Musselshell, and Stillwater Counties to mitigate the likely spread of	Bill passed as amended on 3/23, 19-0	Support

	noxious and invasive weeds following the spring 2022 flooding of the Yellowstone River. The funds will target the removal of 3 invasive woody species: buckthorn, salt cedar, and Russian olive,		
<b>Wildlife Program Funding</b>			
<a href="#"><u>HB 5</u></a> Rep. Mike Hopkins (R-Hopkins)	This bill contains funding authorization for FWP's capital projects, including Habitat Montana, Upland Game Bird Enhancement Program, Migratory Bird Program, Bighorn Sheep Auction Funds and Fishing Access Site Acquisition. Funding for these programs comes from sportsmen and women's license dollars and is earmarked specifically for these programs. Not authorizing them simply means the funds stay in the bank. The funds support conservation and enhancement of critical wildlife habitat, and provide great hunting and fishing access opportunities.	Hearing scheduled for House Appropriations on 3/15	Support
<a href="#"><u>HB 217</u></a> Rep. Gary Perry (R-Colstrip)	This simple bill increases non-resident game bird licenses from \$50 to \$150 for non-residents. It proposed changing resident costs from \$6.50 to \$10 but that was amended out of the bill. Money from the sale of these licenses is used for the protection, conservation and development of wetlands in Montana.	Passed 3rd Reading in the House 97-1 on 1/30, heading to the Senate	Support
<a href="#"><u>HB 290</u></a> Rep. Gary Perry (R-Colstrip)	This bill would increase the size of the FWP Wetland Protection Advisory Council, which disperses the increased funding source from HB 217, and encourages the Department to bring this council up to the standards of the Upland Game Bird Enhancement Program committee.	Heard in Senate Fish & Game on 3/22	Support
<a href="#"><u>HB 383</u></a> Rep. Tom France (D-Missoula)	This bill creates an account to collect donations from hunters and anglers to support grants to rural communities of less than 7,500 residents. The funds will begin distribution in 2025 once the account is around \$250,000, and funds are intended to help offset the impacts to rural communities that provide top-notch hunting, fishing, and outdoor recreation opportunities for residents and non-residents alike.	Passed in House Appropriations Committee 12-11 on 3/21	Support



**Climate Change & Energy**

<p><b><u>HB 60</u></b> Rep. Denley Loge (R-St. Regis)</p>	<p>This bill would make electric and plug-in hybrid vehicle ownership more expensive by charging an annual registration fee of \$130 for electric and \$70 for hybrid vehicles weighing less than 6000 lbs and \$190 for vehicles between 6,000 and 10,000 lbs, including electric trucks. Higher weight hybrids will have to pay \$100 each year, and even heavier vehicles may pay up to \$1,100. The goal of a registration fee is to replace gas tax revenue lost because EVs don't pay for gasoline, and are therefore not paying for road and highway maintenance. While EV registration fees are not uncommon, Montana's fees would be higher than many other states and undercut the financial benefits of switching to affordable battery-powered vehicles. Hopefully the fee comes down so we can remove our opposition.</p>	<p>Sent to enrolling on 3/24</p>	<p>Oppose</p>
<p><b><u>SB 147</u></b> Sen. Chris Pope (D-Bozeman)</p>	<p>SB 147 would require publicly regulated utilities, such as NorthWestern Energy, to study and procure cost-effective energy conservation strategies. Energy conservation is the best way to save customers money and decrease their need for more energy, particularly during times when energy demand is high and supply is low. The bill would require utilities to regularly study conservation opportunities and implement conservation programs that reduce consumption of energy by at least 1%, as a factor of their average annual electricity sales. The bill would also give the Public Service Commission authority to establish and oversee a conservation assessment program that includes: incentives for utilities that develop conservation and efficiency programs; metrics to evaluate successful implementation of the programs and compliance with SB 147; and assurances that the utility is studying and considering least-cost conservation and energy efficiency investments at regular intervals.</p>	<p>Tabled in Committee 7-5 on 1/25</p>	<p>Support</p>
<p><b><u>HB 170</u></b></p>	<p>HB 170 would repeal Montana's State Energy</p>	<p>Signed by the</p>	<p>Oppose</p>



<p>Rep. Steve Gunderson (R-Libby)</p>	<p>Policy. Montana needs an energy policy for our state and its agencies which promotes energy efficiency, conservation, production, and consumption of energy sources that represent the least social, environmental and economic costs and the greatest long-term benefits to Montana citizens. It simply makes no sense to repeal this sound principle which has stood for 30 years, especially now in the face of the increasing impacts of climate change that Montana is experiencing.</p>	<p>Governor on 3/24</p>	
<p><a href="#"><u>SB 97</u></a> Sen. Keith Regier (R-Kalispell)</p>	<p>SB 97 increases the tax burden on large scale renewable energy projects by 500%. Currently, renewable energy generators must pay a \$0.0002 or 0.02¢ per kilowatt-hour license tax. This bill would require covered generators to pay an additional 0.1 ¢ per kilowatt-hour tax on renewable energy generation. This bill targets generators larger than 25 MW, meaning it primarily applies to large-scale wind projects, though excluding legacy hydroelectric projects. This bill discourages renewable development and could cause projects that would be built in Montana to be relocated to other states with more favorable taxation laws.</p>	<p>Tabled in Senate Energy Committee on 1/26, 11-1</p>	<p>Oppose</p>
<p><a href="#"><u>SB 208</u></a> Sen. Jason Small (R-Busby)</p>	<p>SB 208 prevents the Department of Labor and Industry, which writes the state building code, from including any language that prohibits or limits the use of any energy resources. Additionally, this bill denies local governments any power to “prohibit or impede the connection” of any fossil fuel infrastructure in their jurisdictions. This precludes cities and counties from taking meaningful action on greenhouse gas emissions through stretch codes or regulations. Methane gas is harmful to health, the environment, and the climate. Recent studies show that indoor emissions from gas appliances can contribute to childhood asthma. Local governments should be allowed to mitigate those impacts to address the concerns of their constituents. Energy decisions in a community should be</p>	<p>Heard in House Energy, Technology, and Federal Relations on 3/20</p>	<p>Oppose</p>

	made by the people closest to the issues, not legislators.		
<a href="#"><b>SB 228</b></a> Sen. Jason Small (R-Busby)	SB 228 would prohibit local governments from protecting public health, safety or welfare from any type of petroleum product (e.g. oil or gas). It would force local governments to allow compressor stations, gas stations, and pipelines, gas power plants, petroleum refineries, and more, regardless of size or impact, near residential properties, daycares, and schools. Local governments would not even be allowed to mitigate impacts from noise, lighting, or truck traffic.	Heard in House Transportation on 3/20	Oppose
<a href="#"><b>HB 55</b></a> Rep. Denley Loge (R-St. Regis)	HB 55 would add a \$0.03 tax on electric vehicles (EVs) charging at public stations. The stated goal is to capture revenue from out-of-state EV drivers who aren't paying the gas tax. However, Montanans traveling in-state also will be required to pay the tax but will supposedly be reimbursed for the fees through some vague process. Unfortunately, the undefined reimbursement process will likely be cumbersome under the best case scenario and will be one more barrier to EV deployment in Montana. This new program will cost the state an extraordinary \$2.3 million to implement because it is so complex. While there are some good elements of the bill, including a provision that would allow charging station operators to price electric vehicle charging based on the cost of electricity, as introduced the bill will unnecessarily discourage the adoption of electric vehicles.	Passed the House on 3/13, 92-6	Oppose
<a href="#"><b>HB 454</b></a> Rep. Gary Parry (R-Colstrip)	HB 454 creates additional layers of tax burden for large scale (25 MW or above) renewable energy generation, and would make these projects uncompetitive in Montana. Currently, all electrical energy producers currently pay a license tax of \$.02 per kilowatt-hour. HB 454, however, singles out large-scale renewable resource generators like wind, solar, new hydro,	Tabled in House Taxation on 2/23, 20-1	Oppose

	geothermal, battery storage, and others listed here, and increases their tax burden fivefold. While HB 454 intends to backfill coal severance tax funds and county infrastructure costs, it discourages renewable development and could cause projects slated for Montana to be relocated to other states.		
<b>General Environmental Protection</b>			
<a href="#"><b>HB 85</b></a> Rep. Marty Malone (R-Pray)	This bill would remove the Department of Natural Resources and Conservation requirements for Montana Environmental Policy Act (MEPA) environmental analysis for small ranch infrastructure replacement projects, but is currently written so that it includes large infrastructure projects as well. As written the categorical exclusions from MEPA are too broad to support and go far beyond the intent described in the hearing.	Signed by Governor on 3/16	Oppose
<a href="#"><b>SB 39</b></a> Sen. Dan Bartel (R-Lewistown)	This bill would exempt human and animal crematoriums from proving their projected emissions and ambient air pollution concentrations would constitute a negligible risk to the public health, safety, and welfare and to the environment, prior to permitting	Passed the senate on 3/21, 95-2 Sent to Enrolling	Oppose
<a href="#"><b>HB 581</b></a> Rep. Laurie Bishop (D-Livingston)	This bill would reinsert public participation requirements in the open cut permitting law and reinstate DEQ's authority to provide simple protections for neighbors (limits to hours of operation, noise, light, off-site sedimentation, fire prevention, etc.)	Tabled in House Natural Resources on 2/23, 10-5	Support
<a href="#"><b>SB 316</b></a> Sen. Willis Curdy (D-Missoula)	This bill would require a public comment when general air permits for asphalt plants, crushers, crematoriums, and oil and gas wells.	Tabled in Committee on 2/24	Support
<a href="#"><b>HB 642</b></a> Rep. Casey Knudsen (R-Malta)	HB 642 removes all language referencing "combined appropriation" from statute. As written, this bill turns exempt wells from an "exemption" into an entitlement. It also allows	Heard on 2/22/23 in House Natural Resources	Oppose

	<p>exempt wells drilled after 2014 to expand their appropriations based on the new allowances and allows for expansion by 1 AF per year for every 2-acre increment of a 20-acre parcel. Every 20 Acres of land gets between 10-20 Acre-Feet of permit free groundwater.</p>		
<p><a href="#">HB 576</a> Rep. Rhonda Knudsen (R-Culbertson)</p>	<p>This bill would dramatically weaken water quality protections for coal mining activities and result in the degradation of water quality for sensitive prairie streams in eastern Montana. It would allow pollution entering intermittent and ephemeral streams to exceed water quality standards without having to conduct a nondegradation review and re-define the material damage assessment – the process to determine whether a coal mine will impermissibly impact water resources off the mine site – to allow for the mine to discharge water that exceeds water quality standards. The bill would also apply retroactively to coal mine permits that are currently under judicial review at the time the bill is proposed to pass, which could potentially impact a number of illegally issued coal mine permits.</p>	<p>Hearing scheduled for Senate Natural Resources on 3/29, 3:00 PM Rm 303</p>	<p>Oppose</p>
<p><a href="#">HB 537</a> Rep. John Fitzpatrick (R-Great Falls)</p>	<p>This bill would allow for oil and gas companies to pump enormous volumes of water out of aquifers without having to first obtain a water right. The bill will allow for oil and gas companies to impact prior appropriators, such as farmers and ranchers, without any ability for them to seek redress at the Montana DNRC.</p>	<p>Tabled in House Natural Resources on 2/24, 15-0</p>	<p>Oppose</p>
<p><a href="#">HB 638</a> Rep. Marilyn Marler (D-Missoula)</p>	<p>This bill would slowly phase out single use styrofoam containers from use in restaurants. Polystyrene does not degrade in the environment and threatens both human and ecological health.</p>	<p>Tabled in House Natural Resources on 3/13</p>	<p>Support</p>
<b>General Government</b>			
<p><a href="#">SB 235</a> Daniel Emrich (R-Great Falls)</p>	<p>This bill would attempt to take the teaching of scientific theory out of k-12 school and make it so that schools can only teach scientific fact. It would allow parents to</p>	<p>Tabled in Committee 11-0</p>	<p>Oppose</p>

<a href="#"><b>SB 28</b></a> Sen. Mike Lang (R-Malta)	This bill would direct revenue from the state's existing marijuana tax to provide funding for Montana's conservation districts. This bill would ensure additional funding to continue and expand this vital work.	Heard in House Taxation on 3/24	Support
<b>Public Lands, Recreation &amp; Parks</b>			
<a href="#"><b>HB 261</b></a> Rep. Steve Gunderson (R-Libby)	HB 261 would define bikes that use electric motors for propulsion as non-motorized and force the use of these on all state and locally managed trail systems. This "open unless closed" approach opens the floodgates for new motorized use on trails that have been reserved for non motorized uses like traditional bikes, horse, and pedestrian travel. Additionally, this would put the state's definition at odds with the US Forest Service definition, causing jurisdictional challenges (Many trails start on local, private, and state land and travel to USFS land) and a need for increased expenditures for signage and enforcement of this new use. HB 261 would also put federal grant funding for non motorized trails at risk and has been amended to apply to natural surface trails as well as paved paths.	Failed to pass 3rd reading on 2/24 by one vote, 48-49	Oppose
<a href="#"><b>HB 521</b></a> Rep. Denley Loge (R-St. Regis)	This bill creates a conservation license for state land users over the age of 12 that costs \$8 and is good for a year. The income from the license will support both the Department of Fish, Wildlife, & Parks, and the Department of Natural Resources and Conservation.	Referred to Senate Fish & Game, 3/24	Support
<a href="#"><b>SB 342</b></a> Sen. Greg Hertz (R-Polson)	This bill takes a different approach to defining electric bikes in Montana, and rather than amending the off-road vehicle statutes, amends the Motor Vehicle statutes to say that an electric bike is essentially a bicycle under 750 watts. This is confusing because electrically assisted bicycles are already defined in that law but they are adding the definition only to	Failed to pass on 3rd reading in the Senate on 2/27, 23-27	Oppose

	bicycle so two definitions would exist. Bicycles would be defined to mean “a vehicle propelled solely by human power on which any person may ride, irrespective of the number of wheels, except scooters, wheelchairs, and similar devices. The term includes an electrically assisted bicycle with a 750 watt or less motor that may be used anywhere a bicycle may be used.” This bill opens too many natural surface trails to e-bikes without a community process.		
<b>Subdivisions &amp; Land Use Planning</b>			
<b><u>SB 143</u></b> Sen. John Esp (R-Big Timber)	HB 143 would allow just 20% of landowners in a CIZ to petition the county to hold an election to eliminate the district. This extremely low threshold will likely result in incessant, repeated votes to repeal a CIZ. The 20% threshold is also unfair when you consider the county resources required to hold an election and that a CIZ can only be adopted if a supermajority - 60% of the landowners in the area - petition the county for the CIZ in the first place.	Heard in House Local Government on 3/21	Oppose
<b><u>HB 211</u></b> Rep. Larry Brewster (R-Billings)	This bill changes the process for accepting public comment during phased subdivision development processes, and changes the standard for information accepted during subsequent phases. We oppose cutting public participation out of this process, that like other subdivision regulations, should be there to minimize cumulative impacts.	Bill concurred in Senate Local Government on 3/21	Oppose
<b><u>SB 158</u></b> Rep. Jason Ellsworth (R-Hamilton)	SB 158 would allow greater exemptions for owners within existing subdivisions to divide and transfer portions of their lots to members of their family without triggering the typical subdivision and environmental review process. This bill leaves neighbors unable to comment and appears to allow the first 5 family members that receive a lot through this exemption to potentially further subdivide their lot, all without public and local government review. This provision can lead to greater cumulative impacts on traffic, water resources, access, emergency resources and fire safety in some areas.	Heard in House Local Government on 3/21	Oppose

<p><a href="#"><u>HB 241</u></a> Joshua Kassmier (R-HD 27)</p>	<p>In 2022, the Montana Department of Labor and Industry passed rules which updated Montana’s building codes. Part of the rules allow self-governing cities to adopt “stretch codes,” which are voluntary city codes that go beyond what the state requires. These voluntary stretch codes allow solar-ready building codes that would require new construction in those jurisdictions to design and build homes in such a way that adding solar would be a cheap, convenient, and efficient option for building owners. HB 241 would ban these solar ready stretch codes at a time when we need local governments to help create solutions to the climate crisis.</p>	<p>Heard in Senate Local Government on 3/20</p>	<p>Oppose</p>
<p><a href="#"><u>SB 240</u></a> Sen. Jason Small (R-Busby)</p>	<p>This bill would exempt the Montana Department of Environmental Quality (DEQ) from having to conduct an environmental review for proposed subdivisions that meet certain criteria, including that they are 14 or fewer lots and located at least 2 miles from "high quality waters." This bill would result in poor environmental decision-making by ignoring potential environmental impacts associated with development, as well as opportunities to mitigate that development. This bill would also likely encourage developers to phase developments in 14-lot increments in order to evade environmental review.</p>	<p>Heard in House Natural Resources on Hearing 3/24</p>	<p>Oppose</p>
<p><a href="#"><u>HB 369</u></a> Rep. Marty Malone (R-Pray)</p>	<p>HB 369 would require that the local governing body adopt a resolution of intention to adopt, adopt with revisions, or reject proposed growth policies. Growth policies are an important tool for communities to identify where and how different types of development should occur, and should involve an engaged public and informed process. However, requiring that the entire electorate body vote to also approve or amend the plan would create too much bureaucracy. There is already a process to allow a referendum to appeal a growth policy which is appropriate.</p>	<p>Tabled in committee 16-0 on 2/16</p>	<p>Oppose</p>



<p><b><a href="#">SB 379</a></b>  Sen. Steve Fitzpatrick  (R-Great Falls)</p>	<p>SB 379 will repeal existing minimum lot sizes in counties, and prevent counties from adopting new zoning with minimum lot sizes. Minimum lot sizes are one of the most valuable tools counties have to protect agricultural lands, open space, habitat and vital water resources. This bill would also overturn the will of local citizens that have worked to enable local zoning and minimum lot sizes for their counties.</p>	<p>Hearing in Senate  Local Government  on 3/28</p>	<p>Oppose</p>
<p><b><a href="#">SB 382</a></b>  Sen. Forest Mandeville  (R-Columbus)</p>	<p>This comprehensive land use bill will create the upfront planning and robust public process to identify where and how communities want to grow, and then allow municipalities to apply zoning codes to support appropriate densities and growth. It will fundamentally change the way we think about long term and comprehensive planning and moves us from reactive to proactive positions in our rapidly growing communities.</p>	<p>Heard in House  Local Government  on 3/23</p>	<p>Support</p>