_____ BILL NO. _____

INTRODUCED BY _____

BY REQUEST OF THE ENVIRONMENTAL QUALITY COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA WILDFIRE RESILIENCY TASK FORCE; PROVIDING FOR TASK FORCE MEMBERSHIP AND DUTIES; AND PROVIDING A TERMINATION DATE."

WHEREAS, the Montana Legislature finds that the increased cost of catastrophic wildfires poses an immediate and growing threat to communities, infrastructure, and property in all regions of Montana; and

WHEREAS, changing climate conditions, declining forest health, and development patterns in the wildland-urban interface increase both the likelihood and severity of wildfires capable of consuming entire communities in a single event; and

WHEREAS, unmitigated risk is destabilizing the property insurance market, threatening the long-term affordability and availability of coverage, and imposing enormous fiscal liabilities on local governments and taxpayers; and

WHEREAS, the Montana Legislature further finds that the state must enact policies that both mitigate wildfire risk and prepare Montana to respond effectively before and after catastrophic wildfires by using all available resources.

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

NEW SECTION. **Section 1. Wildfire resiliency task force -- membership.** (1) There is a Montana wildfire resiliency task force composed of 17 voting members. The task force is attached to the department of commerce for administrative purposes only, as prescribed in 2-15-121. The task force operates as an independent body and is subject to legislative review for extension of its service.

(2) By November 1, 2027, the governor shall appoint 16 members to represent each of the following groups:

(a) five members representing local government, including:

(i) a county commissioner from a county within each of Montana's two United States congressional districts, as nominated by the Montana association of counties;

(ii) two land use planning professionals with experience adopting policies and codes for wildfire-resilient structures and best practices, as nominated by the Montana association of planners; and

(iii) one representative of a municipality, as nominated by the Montana league of cities and towns;

(b) one representative of a tribal government recognized by the state;

(c) one firefighting professional with expertise in wildland fire behavior or wildfire mitigation science and containment strategies, such as a local fire chief, fire marshal, or wildland firefighter, as nominated by the Montana state volunteer firefighters association;

(d) one member of a housing organization;

(e) four members representing private industries, including representatives from a commercial and residential development or building company, a licensed architect experienced in wildfire-resilient design and practices, a contractor with experience in forestry, fuels mitigation, or home hardening, and a representative of a building trades association;

(f) one member representing the property and casualty insurance industry, as nominated by the independent insurance agents association of Montana;

(g) a licensed real estate agent, as nominated by the Montana association of realtors; and

(h) a member of the senate and a member of the house of representatives, one from the majority party and one from the minority party.

(3) Nonvoting members of the task force may be appointed respectively by the following:

(a) the forestry and trust lands division of the department of natural resources and conservation;

(b) the department of commerce;

(c) the office of the state auditor;

(d) the building codes program of the department of labor and industry;

(e) the office of the state fire marshal; and

(f) Montana disaster and emergency services.

(4) The department of commerce shall create a task force administrator position to support the

task force.

(5) The task force shall select a presiding officer from among its members.

(6) A majority of the voting members of the task force constitutes a quorum.

(7) Task force members are entitled to reimbursement of travel, meals, and lodging expenses while engaged in task force business, as provided in 2-18-501 through 2-18-503.

(8) A vacancy on the task force must be filled in the same manner as a regular appointment.

NEW SECTION. **Section 2. Duties of task force.** (1) The task force shall develop recommendations for Montana's wildfire safety standards. These standards must provide a comprehensive administrative and technical system to reduce inefficiencies and allow for voluntary adoption by a local jurisdiction. An approved system must be based on consistent, performance-based components that maximize local effectiveness and simplify review and enforcement challenges.

(2) Wildfire safety standards must address risk factors in the wildland-urban interface by including the following:

(a) construction and building materials must include recommendations for use of ignition-resistant construction materials, such as flooring, siding, vents, and decks based on risk science;

(b) defensible space must include recommendations for vegetation management and fuel reduction in the home ignition zone and in areas around housing developments;

(c) access and egress must include recommendations for emergency vehicle access, such as road widths, load limits, vehicle turning radius, and evacuation routes; and

(d) water supply must include guidance on establishment of emergency water sources in new housing developments.

(3) The task force shall publish guidance on how the adoption of wildfire safety standards may be used to clarify state law and reduce statutory conflict.

(4) The task force shall recommend programs to support wildfire resilience through:

(a) technical assistance, which would allow state agencies to provide technical assistance and training to local jurisdictions, such as land use planners and building inspectors, to support mitigation practices and access to federal grants;

(b) a voluntary certification program, which may:

(i) formally recognize a property or community that meets or exceeds wildfire risk mitigation standards and provides tangible benefits related to property insurance; and

(ii) establish a verification method for an individual property or community that has met the wildfire risk mitigation standards;

(c) a standardized risk assessment, which would provide a state-approved, transparent, wildland-urban interface risk assessment methodology for the calculation of property insurance rates;

(d) data and mapping to provide publicly available, state-supported, wildland-urban interface risk data and analysis using the best-available science to inform local jurisdiction planning and property owners;

(e) incentives for wildfire mitigation on private property, including fiscal strategies for homeowner retrofits in high-risk areas, low-interest loan programs, tax credits or deductions, local option wildland-urban interface resilience special districts, matching grant funds, and other incentives. The recommendations must provide criteria for measuring the impact of these incentive programs.

(f) identifying reforms in the federal funding reauthorization process and how state-funded programs should be considered by the legislature, including transparency and cost containment measures.

(5) The task force shall:

(a) within 1 year of establishment, issue a preliminary report with the task force's findings and recommendations to the governor and the environmental quality council; and

(b) within 3 years of establishment, issue a final report to the governor and the environmental quality council.

NEW SECTION. **Section 3. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

NEW SECTION. **Section 4. Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 90, chapter 2, part 2, and the provisions of Title 90, chapter 2, part 2, apply to [sections 1 and 2].

NEW SECTION. **Section 5. Termination.** [Sections 1 and 2] terminate June 30, 2030.

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