

1 HOUSE BILL NO. 547

2 INTRODUCED BY S. DEMAROIS, D. HARVEY, S. NOVAK, D. HAWK, M. LEE, J. LYNCH

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO FIRE PROTECTION IN
5 CONSOLIDATED CITY-COUNTY GOVERNMENTS; REMOVING LANGUAGE FOR EXISTING VOLUNTEER
6 FIRE DEPARTMENTS UNDER THE JURISDICTION OF A CONSOLIDATED CITY-COUNTY GOVERNMENT;
7 AMENDING SECTION 7-3-1345, MCA; AND REPEALING SECTIONS 7-33-2110 AND 7-33-2316, MCA."
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11 **Section 1.** Section 7-3-1345, MCA, is amended to read:

12 **"7-3-1345. Fire department.** ~~(1) The fire department of the municipality is in the charge of a director,~~
13 ~~who shall be chief thereof and must have a director of fire service or a fire chief~~ who shall manage and control
14 the department in the manner prescribed by the ordinances of the municipality.

15 ~~(2) — (a) Notwithstanding any other provision of law, the adoption of a consolidated county municipal~~
16 ~~government shall have no effect on the existence, rights, or duties of any voluntary fire department or fire~~
17 ~~district created and legally in existence pursuant to the provisions of parts 21 and 23 of chapter 33.~~

18 ~~(b) — Nothing in this part or part 12 shall be construed to prohibit the creation of voluntary fire~~
19 ~~departments or fire districts pursuant to the provisions of parts 21 and 23 of chapter 33 within consolidated~~
20 ~~county municipalities.~~

21 ~~(c) — Voluntary fire departments or fire districts within consolidated county municipalities may only be~~
22 ~~organized, created, supported, financed, dissolved, and managed and their boundaries may only be changed~~
23 ~~pursuant to the provisions of parts 21 and 23 of chapter 33. These organizations may enter mutual aid~~
24 ~~agreements as provided by 7-33-2108."~~
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26 NEW SECTION. **Section 2. Repealer.** The following sections of the Montana Code Annotated are
27 repealed:

28 7-33-2110. Volunteer fire districts or companies -- fire departments -- not affected by city-county

- 1 consolidation.
- 2 7-33-2316. Volunteer fire districts or companies -- fire departments -- not affected by city-county
- 3 consolidation.
- 4 - END -