



AN ACT PROVIDING THAT A GOVERNING BODY MAY REVOKE AN AGRICULTURAL COVENANT AND DIVISION OF THE LAND MAY PROCEED WITHOUT SUBDIVISION REVIEW IF THE LAND IS ANNEXED INTO A MUNICIPALITY; AND AMENDING SECTION 76-3-211, MCA.

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

Section 1. Section 76-3-211, MCA, is amended to read:

"76-3-211. Agricultural covenant -- change in use. (1) A change in use for anything other than agricultural purposes subjects a division of land that received an exemption under 76-3-207(1)(c) to subdivision review under parts 5 and 6 of this chapter. However, the governing body, in its discretion, may revoke the covenant provided for in 76-3-207(1)(c) for the purposes of this chapter and the division may proceed without subdivision review if:

- (a) the original lot lines are restored through aggregation of the covenanted land prior to or in conjunction with the revoking of the covenant; or
- (b) a government or public entity seeks to use the land for public purposes as defined in the governing body's review criteria pursuant to 76-3-504(1)(p); or
- (c) the land is annexed into a municipality.

(2) If a governing body proposes to revoke a covenant pursuant to subsection (1)(b), the governing body shall hold a public hearing. Within 15 days of the hearing, the governing body shall issue written findings of fact and a decision based on the record. If the governing body approves the revoking of the covenant, the approval must be recorded with the clerk and recorder.

(3) The revocation of a covenant pursuant to this section does not affect sanitary restrictions imposed under Title 76, chapter 4."

- END -

I hereby certify that the within bill,
SB 275, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2025.

Speaker of the House

Signed this _____ day
of _____, 2025.

SENATE BILL NO. 275

INTRODUCED BY F. MANDEVILLE

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