

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE PROCEEDS OF THE VIDEO GAMBLING
5 MACHINE GROSS INCOME TAX MUST BE DEPOSITED IN THE GUARANTEE ACCOUNT FOR
6 DISTRIBUTION TO SCHOOL DISTRICTS THROUGH SCHOOL EQUALIZATION AID; AMENDING SECTION
7 23-5-610, MCA; AND PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 23-5-610, MCA, is amended to read:

12 **"23-5-610. Video gambling machine gross income tax -- records -- distribution -- quarterly**
13 **statement and payment.** (1) A licensed machine owner shall pay to the department a video gambling machine
14 tax of 15% of the gross income from each video gambling machine issued a permit under this part. A licensed
15 machine owner may deduct from the gross income amounts equal to amounts stolen from machines if the
16 amounts stolen are not repaid by insurance or under a court order, if a law enforcement agency investigated the
17 theft, and if the theft is the result of either unauthorized entry and physical removal of the money from the
18 machines or of machine tampering and the amounts stolen are documented.

19 (2) A licensed machine owner shall keep a record of the gross income from each video gambling
20 machine issued a permit under this part in the form the department requires. The records must at all times during
21 the business hours of the licensee be subject to inspection by the department.

22 (3) For each video gambling machine issued a permit under this part, a licensed machine owner shall,
23 within 15 days after the end of each quarter and in the manner prescribed by the department, complete and
24 deliver to the department a statement showing the total gross income, together with the total amount due the state
25 as video gambling machine gross income tax for the preceding quarter. The statement must contain other
26 relevant information that the department requires.

27 (4) The department shall, ~~in accordance with the provisions of 15-1-501,~~ forward the tax collected under
28 subsection (3) to the ~~general fund~~ the state treasurer for deposit in the guarantee account provided for in
29 20-9-622."

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