

1 HOUSE BILL NO. 645

2 INTRODUCED BY W. STAHL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR BUDGET STABILITY BY CREATING A BUDGET
5 STABILIZATION ACCOUNT; PROVIDING THAT A GENERAL FUND UNRESERVED ENDING FUND BALANCE
6 IN EXCESS OF A STATUTORY AMOUNT IS TRANSFERRED TO THE BUDGET STABILIZATION ACCOUNT;
7 IMPOSING A TWO-THIRDS AND THREE-FIFTHS VOTING REQUIREMENT ON THE LEGISLATURE FOR
8 TRANSFERS FROM THE BUDGET STABILIZATION ACCOUNT; PROVIDING FOR A FUND TRANSFER FROM
9 THE GENERAL FUND; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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13 NEW SECTION. **Section 1. Budget stabilization account -- funding -- use.** (1) There is a budget
14 stabilization account within the state general fund. There is transferred from the state general fund to the budget
15 stabilization account 50% of the amount by which the audited general fund unreserved ending fund balance
16 exceeds 5% of all general fund appropriations and transfers from the general fund for the prior biennium. A
17 transfer from the state general fund to the budget stabilization account must be made by December 31 of each
18 odd-numbered calendar year.

19 (2) The legislature may not appropriate or transfer money from the budget stabilization account unless
20 actual state general fund revenue for a fiscal year is less than 90% of the legislature's official revenue estimate
21 provided for in 5-5-227 for the fiscal year. No more than one appropriation or transfer from the account may occur
22 during a fiscal year.

23 (3) Subject to subsection (2), the balance of the budget stabilization account in excess of 25% of general
24 fund appropriations and transfers from the general fund for the current biennium may be appropriated or
25 transferred only by a three-fifths vote of each house of the legislature.

26 (4) Subject to subsection (2), the balance of the budget stabilization account equal to or less than 25%
27 of general fund appropriations and transfers from the general fund for the current biennium may be appropriated
28 or transferred only by a two-thirds vote of each house of the legislature.

29 (5) The governor may not transfer or appropriate money from the budget stabilization account.

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