

1 SENATE BILL NO. 324

2 INTRODUCED BY J. BALYEAT, R. BRODEHL, D. KENNEDY, B. LAKE, W. WARBURTON, B. TUTVEDT,
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4 C. MOWBRAY, K. KERNS, J. PRIEST, J. O'NEIL, D. STEINBEISSER, R. RIPLEY, J. SHOCKLEY,
5 T. BERRY, T. MURPHY, E. BUTTREY, L. JONES, V. JACKSON, C. VINCENT, J. BRENDEN, A. WITTICH,
6 R. ARTHUN, A. OLSON, T. BURNETT, G. BENNETT, C. SMITH

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8 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS GOVERNING THE DISPOSITION OF CIVIL
9 FINES, SETTLEMENT PROCEEDS, COSTS, AND FEES RECOVERED IN CONSUMER PROTECTION
10 ACTIONS; DIRECTING THE ADOPTION OF PROCEDURES FOR DISTRIBUTION OF SETTLEMENT
11 PROCEEDS RECEIVED ON BEHALF OF CONSUMERS TO THE CONSUMERS ON WHOSE BEHALF THE
12 SETTLEMENT IS MADE; AMENDING SECTIONS 30-14-143 AND 30-14-226, MCA; AND PROVIDING AN
13 EFFECTIVE DATE."

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

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17 **Section 1.** Section 30-14-143, MCA, is amended to read:

18 **"30-14-143. Disposition of civil fines, settlement proceeds, costs, and fees.** (1) (a) All Subject to
19 subsection (1)(b), all civil fines, settlement proceeds, costs, and fees received or recovered by the department
20 pursuant to this part must be deposited into a state special revenue account to the credit of the department and
21 must be used to defray the expenses of the department in discharging its administrative and regulatory powers
22 and duties in relation to this part. The balance in the account may not exceed two times the amount of the budget
23 for the current biennium. Any excess civil fines, settlement proceeds, costs, or fees must be transferred to the
24 general fund.

25 (b) The department shall adopt procedures designed to distribute settlement proceeds received on behalf
26 of consumers to the consumers on whose behalf the settlement is made. Settlement proceeds not distributed to
27 consumers pursuant to this subsection (1)(b) within 1 year after the proceeds are received are subject to the
28 provisions of subsection (1)(a).

29 (2) All civil fines, settlement proceeds, costs, and fees received or recovered by a county attorney
30 pursuant to this part must be paid to the general fund of the county in which the action was commenced."

