

SENATE BILL NO. 303

INTRODUCED BY A. WITTICH

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LEGISLATURE'S REVENUE ESTIMATING LAWS; PROVIDING THAT THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE'S REVENUE ESTIMATING SENATE JOINT RESOLUTION DOES NOT CONSTITUTE THE LEGISLATURE'S OFFICIAL REVENUE ESTIMATE UNTIL FINAL ADOPTION OF THE ESTIMATE BY BOTH HOUSES; AND AMENDING SECTION 5-5-227, MCA."

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

Section 1. Section 5-5-227, MCA, is amended to read:

"5-5-227. Revenue and transportation interim committee -- powers and duties -- revenue estimating senate joint resolution and use of estimates. (1) The revenue and transportation interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of revenue and the department of transportation and the entities attached to the departments for administrative purposes.

(2) (a) (i) The committee must have prepared by December 1 for introduction during each regular session of the legislature in which a revenue bill is under consideration a senate joint resolution that provides an estimate of the amount of revenue projected to be available for legislative appropriation.

(ii) In the event that the committee has not caused a revenue estimating resolution to be introduced in accordance with subsection (2)(a)(i), a senate joint resolution must be introduced that provides an estimate of the amount of revenue projected to be available for legislative appropriation.

(iii) The senate shall transmit the senate joint resolution on the revenue estimate to the house no later than the 15th legislative day.

(b) The committee may prepare for introduction during a special session of the legislature in which a revenue bill or an appropriation bill is under consideration a senate joint resolution that provides an estimate of the amount of projected revenue. The revenue estimate is considered a subject specified in the call of a special session under 5-3-101.

~~(3) The committee's estimate, as introduced in the legislature, constitutes the legislature's current~~



1 ~~revenue estimate until amended or until final adoption of the estimate by both houses. It is intended that the~~
2 ~~legislature's estimates and the assumptions underlying the estimates will be used by all agencies with~~
3 ~~responsibilities for estimating revenue or costs, including the preparation of fiscal notes.~~

4 (3) (a) (i) The committee's estimate, in the form of a senate joint resolution as introduced in the
5 legislature, is the current revenue estimate until final adoption of the estimate by both houses.

6 (ii) Subject to subsection (3)(b), the estimate and the assumptions underlying the estimate must be used
7 by all agencies with responsibilities for estimating revenue or costs, including the preparation of fiscal notes.

8 (b) (i) The revenue estimate and the assumptions underlying the estimate do not constitute the
9 legislature's revenue estimate for the purpose of determining whether there is a balanced budget as required by
10 Article VIII, section 9, of the Montana constitution until final adoption of the estimate by both houses.

11 (ii) Upon final adoption by both houses, the adopted revenue estimate must be used by all agencies with
12 responsibility for estimating revenue or costs, including the preparation of fiscal notes, and it must be used for
13 the purpose of determining whether there is a projected general fund deficit under 17-7-140.

14 (4) The legislative services division shall provide staff assistance to the committee. The committee may
15 request the assistance of the staffs of the office of the legislative fiscal analyst, the legislative auditor, the
16 department of revenue, and any other agency that has information regarding any of the tax or revenue bases of
17 the state."

18 - END -