

SENATE BILL NO. 135

INTRODUCED BY A. WITTICH

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING EXECUTIVE BRANCH AGENCIES AND UNITS IN THE UNIVERSITY SYSTEM TO REPORT THE AMOUNT OF FEDERAL FUNDS RECEIVED ANNUALLY; REQUIRING THE GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING TO COMPILE THE REPORTS AND SUBMIT A REPORT TO THE LEGISLATURE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Short title.** [Sections 1 through 3] may be cited as the "Federal Receipts Reporting Requirements Act".

NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 3], unless the context otherwise requires, the following definitions apply:

- (1) (a) "Agency" has the meaning provided in 2-15-102.
- (b) The term does not include either the judicial branch or the legislative branch or any office or entity within either branch.
- (2) (a) "Federal receipts" means the federal financial assistance that an agency or university system unit receives or administers in the form of grants, loans, loan guarantees, property, cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, or other assistance.
- (b) The term does not include amounts received as reimbursement for services rendered to individuals.
- (3) "University system unit" means a unit within the Montana university system provided for in 20-25-201.

NEW SECTION. **Section 3. Federal receipts reporting requirements.** (1) By July 31 of each year, each agency and university system unit shall submit to the governor's office of budget and program planning a report that:

- (a) states the aggregate value of federal receipts that the agency or university system unit received for the preceding fiscal year if the value exceeds \$100,000;



1 (b) states the aggregate amount of federal funds appropriated by the legislature to the agency or  
2 university system unit for the preceding fiscal year;

3 (c) calculates the percentage that constitutes federal receipts of the total budget for the agency or  
4 university system unit received for that fiscal year; and

5 (d) develops a plan for operating the agency or university system unit if there is a reduction of:

6 (i) 5% or more in the federal receipts that the agency or university system unit receives; and

7 (ii) 25% or more in the federal receipts that the agency or university system unit receives.

8 (2) The governor's office of budget and program planning shall:

9 (a) compile and summarize the reports filed pursuant to subsection (1), including a list of agencies or  
10 university system units that failed to submit the required report;

11 (b) compare the aggregate value of federal receipts that each agency or university system unit received  
12 for the previous fiscal year to the aggregate amount of federal funds to the total budget of the agency or university  
13 system unit for that fiscal year; and

14 (c) submit the results of the requirements of subsections (2)(a) and (2)(b) by September 1 of each year  
15 to the legislative finance committee established in 5-12-201.

16 (3) Upon consideration of the report submitted pursuant to subsection (2), the legislative finance  
17 committee may:

18 (a) recommend that the legislature reduce or eliminate appropriations for an agency or university system  
19 unit;

20 (b) take no action; or

21 (c) take another action approved by a majority of the committee.

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23 **NEW SECTION. Section 4. Codification instruction.** [Sections 1 through 3] are intended to be codified  
24 as an integral part of Title 2, and the provisions of Title 2 apply to [sections 1 through 3].

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26 **NEW SECTION. Section 5. Effective date.** [This act] is effective on passage and approval.

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