

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A REMOTE WORKER AND WORK
5 ASSIGNMENTS GRANT PROGRAM; ASSIGNING THE PROGRAM TO THE DEPARTMENT OF
6 COMMERCE; PROVIDING THE DEPARTMENT WITH RULEMAKING AUTHORITY; PROVIDING AN
7 APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

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11 NEW SECTION. Section 1. Short title. [Sections 1 through 4] may be cited as the "Remote Workers
12 and Remote Work Assignments Act".

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14 NEW SECTION. Section 2. Definitions. As used in [sections 1 through 4], the following definitions
15 apply:

16 (1) "Department" means the department of commerce.

17 (2) "New remote worker" means an individual who:

18 (a) is a full-time employee of a business with its domicile or primary place of business outside the
19 state;

20 (b) became a full-time resident of the state after January 1, 2021; or

21 (c) performs the majority of the individual's employment duties remotely from a home office or a
22 coworking space located in the state.

23 (3) "Qualifying remote worker expenses" means actual costs a new remote worker incurs for one or
24 more of the following that are necessary to perform the worker's employment duties:

25 (a) relocation to the state;

26 (b) computer software and hardware;

27 (c) broadband access or upgrade; and

28 (d) membership in a coworking space or a similar space.

1

2 NEW SECTION. Section 3. Department duties -- rulemaking. (1) The department shall design and

3 implement a program that provides a process to certify new remote workers and qualifying expenses for grants

4 in accordance with this section.

5 (2) A new remote worker may be eligible for a grant under the program for qualifying remote worker

6 expenses in an amount of not more than \$5,000 each year, not to exceed a total of \$10,000 for each new

7 remote worker over the life of the program.

8 (3) The department shall award grants under the program on a first-come, first-served basis, subject

9 to amounts available in the account established in [section 4].

10 (4) On or before January 1, 2022, the department shall adopt rules for implementing the programs.

11 Rules must include but are not limited to:

12 (a) methods for promoting program awareness, including through coordination with relevant trade

13 groups and existing department marketing programs;

14 (b) procedures for grant funding authorized in [sections 1 through 4]. The rules for grant funding must

15 include but are not limited to:

16 (i) eligibility requirements for entities applying for grants;

17 (ii) criteria for awarding grants; and

18 (iii) reporting procedures for grant recipients.

19 (c) post-disbursement activities by the department to monitor the use of funding by entities and to

20 ensure a 1-year obligation to maintain employment on receipt of a grant, including:

21 (i) reporting requirements; and

22 (ii) procedures for the repayment of funds expended on activities determined not to meet eligibility

23 requirements; and

24 (d) measurable goals and performance measures to assess the use and performance of the program.

25 (5) Before September 1 of each even-numbered year, the department shall produce a report

26 summarizing the grants provided, how the grant money was spent, and additional program data. The

27 department shall provide the report to the economic affairs interim committee in accordance with 5-11-210.

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1 **NEW SECTION. Section 4. Remote worker grant account.** (1) There is an account in the state
2 special revenue fund to be known as the remote worker grant account.

3 (2) There must be deposited in the account:

4 (a) money received from legislative allocations;

5 (b) a transfer of money in accordance with [section 5] for the purposes of [section 3]; and

6 (c) a gift, donation, grant, legacy, bequest, or devise made for the purposes of [section 1].

7 (3) (a) Except as provided in subsection (3)(b), the account may be used only by the department to
8 provide grants for remote workers as provided in [section 3].

9 (b) Up to 3% of the funds deposited in the grant account each year may be used for administrative
10 costs by the department.

11

12 **NEW SECTION. Section 5. Transfer of funds.** The state treasurer shall transfer \$350,000 from the
13 state general fund to the remote worker grant account established in [section 4] to the department of commerce
14 by July 15, 2021, for the purposes described in [sections 1 through 3].

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16 **NEW SECTION. Section 6. Appropriation.** There is appropriated \$250,000 from the remote worker
17 grant account established in [section 4] to the department of commerce for the biennium beginning July 1,
18 2021, for the purposes described in [section 3].

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20 **NEW SECTION. Section 7. Codification instruction.** [Sections 1 through 4] are intended to be
21 codified as an integral part of Title 90, and the provisions of Title 90 apply to [sections 1 through 4].

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23 **NEW SECTION. Section 8. Effective date.** [This act] is effective July 1, 2021.

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25 **NEW SECTION. Section 9. Termination.** [This act] terminates June 30, 2025.

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