

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF TRANSPORTATION TO SELL  
5 STATE PROPERTY USED BY THE DEPARTMENT AND TO CREDIT THE PROCEEDS TO THE  
6 DEPARTMENT OF TRANSPORTATION FUNDS OR ACCOUNTS; AND AMENDING SECTION 18-6-101, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9  
10 **Section 1.** Section 18-6-101, MCA, is amended to read:

11 **"18-6-101. ~~Power to sell~~ Sale of state property -- credit of proceeds credited to general fund. (1)**

12 ~~The~~ Except as provided in subsection (4) and subject to the approval of the governor, the department has  
13 exclusive power, ~~subject to the approval of the governor,~~ to sell or otherwise dispose of or to authorize the sale  
14 or other disposition of all materials and supplies, service equipment, or other personal property of every kind  
15 owned by the state but not needed or used by any state institution or by any department of state government.

16 (2) Unless otherwise provided by law, the department shall credit the general fund with all money  
17 received.

18 (3) Whenever the personal property was accounted for in an enterprise or internal service fund or  
19 designated subfund account, the proceeds of the sale ~~shall~~ must be credited to the appropriate enterprise or  
20 internal service fund or designated subfund account.

21 (4) The department of transportation may sell personal property used by the department of transportation  
22 or may have the property sold by the department of administration as provided in subsection (1). The proceeds  
23 of any sale by the department of transportation must be credited to the appropriate department of transportation  
24 funds or accounts."

25 - END -

