

HOUSE BILL NO. 126
INTRODUCED BY N. FRITZ
BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE DISPOSITION OF CIVIL FINES, COSTS, AND FEES RECOVERED UNDER CERTAIN CONSUMER PROTECTION AND UNFAIR TRADE PRACTICES LAWS; PROVIDING FOR THE USE OF THE MONEY TO FUND CONSUMER PROTECTION FUNCTIONS; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Disposition of civil fines, costs, and fees.** (1) All civil fines, costs, and fees received or recovered by the department pursuant to this part must be deposited into a state special revenue account to the credit of the department and must be used to defray the expenses of the department in discharging its administrative and regulatory powers and duties in relation to this part. Any excess civil fines, costs, or fees must be transferred to the general fund.

(2) All civil fines, costs, and fees received or recovered by the attorney general pursuant to this part must be deposited into a state special revenue account to the credit of the attorney general and must be used to defray the expenses of the office of the attorney general in discharging its regulatory powers and duties in relation to this part. Any excess civil fines, costs, or fees must be transferred to the general fund.

(3) All civil fines, costs, and fees received or recovered by a county attorney pursuant to this part must be paid to the general fund of the county where the action was commenced.

NEW SECTION. **Section 2. Disposition of civil fines, costs, and fees.** (1) All civil fines, costs, and fees received or recovered by the department pursuant to this part must be deposited into a state special revenue account to the credit of the department and must be used to defray the expenses of the department in discharging its administrative and regulatory powers and duties in relation to this part. Any excess civil fines, costs, or fees must be transferred to the general fund.

(2) All civil fines, costs, and fees received or recovered by the attorney general pursuant to this part must be deposited into a state special revenue account to the credit of the attorney general and must be used to defray the expenses of the office of the attorney general in discharging its regulatory powers and duties in relation to

this part. Any excess civil fines, costs, or fees must be transferred to the general fund.

NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an integral part of Title 30, chapter 14, part 1, and the provisions of Title 30, chapter 14, part 1, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 30, chapter 14, part 2, and the provisions of Title 30, chapter 14, part 2, apply to [section 2].

NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2003.

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