

HOUSE BILL NO. 23

INTRODUCED BY C. HINER

BY REQUEST OF THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE

ABILL FOR AN ACT ENTITLED: "AN ACT CORRECTING THE ERRONEOUS DEPOSIT TO A STATE SPECIAL REVENUE FUND OF A PERCENTAGE OF CERTAIN DRIVER'S LICENSE FEES; AMENDING SECTION 61-5-121, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 61-5-121, MCA, is amended to read:

"61-5-121. Disposition of fees. (1) Except as provided in subsection (3), the disposition of the fees from driver's licenses, motorcycle endorsements, commercial driver's licenses, and replacement driver's licenses provided for in 61-5-114 is as follows:

~~(a) The amount of 22.3% of each driver's license fee, 18.25% of each commercial driver's license fee, and 25% of each replacement driver's license fee must be deposited into an account in the state special revenue fund. Upon receiving an appropriation, the department shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404. The department shall report the amount deposited and transferred under this subsection (1)(a) to the legislative finance committee by October 31 of the year preceding each regular session of the legislature.~~

~~(b)(a)~~ (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 2.5% of each driver's license fee, 2.5% of each commercial driver's license fee, and 3.75% of each replacement driver's license fee must be deposited into the county general fund.

(ii) If the fees are collected by the department, the amount provided for in subsection ~~(1)(b)(i)~~ (1)(a)(i) must be deposited into the state general fund.

~~(e)(b)~~ (i) If the fee is collected by a county treasurer or other agent of the department, the amount of 3.34% of each motorcycle endorsement must be deposited into the county general fund.

(ii) If the fee is collected by the department, the amount provided for in subsection ~~(1)(c)(i)~~ (1)(b)(i) must be deposited into the state general fund.

~~(d)(c)~~ The amount of 20.7% of each driver's license fee, 16.94% of each commercial driver's license fee, and 8.75% of each replacement driver's license fee must be deposited into the state traffic education account.

~~(e)(d)~~ In addition to the amounts deposited pursuant to subsections ~~(1)(b)(ii)~~ (1)(a)(ii) and ~~(1)(e)(ii)~~ (1)(b)(ii), the remainder of each driver's license fee, each commercial driver's license fee, and each replacement driver's license fee must be deposited into the state general fund.

~~(f)(e)~~ The amount of 63.46% of each motorcycle endorsement fee must be deposited into the state motorcycle safety account in the state special revenue fund, and the amount of 33.2% of each motorcycle endorsement fee must be deposited into the state general fund.

(2) (a) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and duplicate driver's licenses are collected by a county treasurer or other agent of the department, the county treasurer or agent shall deposit the amounts provided for in subsections ~~(1)(b)(i)~~ (1)(a)(i) and ~~(1)(c)(i)~~ (1)(b)(i) into the county general fund. The county treasurer or agent shall then remit all remaining fees to the state for deposit as provided in subsections ~~(1)(a) and (1)(d)~~ (1)(c) through ~~(1)(f)~~ (1)(e).

(b) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and duplicate driver's licenses are collected by the department, it shall deposit the fees as provided in subsections ~~(1)(a)~~ (1)(a)(ii), (1)(b)(ii), ~~(1)(c)(ii)~~; and ~~(1)(d)~~ (1)(c) through ~~(1)(f)~~ (1)(e).

(3) The fee for a renewal notice, whether collected by a county treasurer, an authorized agent, or the department, must be remitted to the department for deposit in the state general fund."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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