

## HOUSE BILL NO. 554

INTRODUCED BY B. SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO LEGISLATOR PAYROLL AND BENEFITS; AMENDING SECTIONS 5-2-302 AND 5-2-303, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 5-2-302, MCA, is amended to read:

**"5-2-302. Compensation and expenses when legislature not in session.** When the legislature is not in session, a member of the legislature, while engaged in legislative business with prior authorization of the appropriate funding authority, is entitled to:

(1) a mileage allowance as provided in 2-18-503;

(2) expenses as provided in 2-18-501 and 2-18-502; and

(3) a salary equal to one full day's pay at the rate described in 5-2-301(1) for each 24-hour period of time (from midnight to midnight), or portion of a 24-hour period, spent ~~away from home~~ on authorized interim or administrative committee legislative business or as otherwise provided by law. However, if time spent for business other than authorized legislative interim or administrative committee business or business related to 5-11-305 results in lengthening a legislator's stay away from home into an additional 24-hour period, the legislator may not be compensated for the additional day."

**Section 2.** Section 5-2-303, MCA, is amended to read:

**"5-2-303. Participation in state benefits group -- employer contribution made to other plan.** (1) Individual members of the senate and the house of representatives may enroll in the state employees benefits group during the terms to which they have been elected. The provider of benefits shall enroll and collect employee contributions directly from ~~such those~~ legislators. The employer contribution ~~shall~~ must be paid from funds appropriated for that purpose.

(2) (a) If a member does not enroll or terminates enrollment under the state employees benefits group plan and is insured under a plan providing disability insurance as defined in 33-1-207, the department of administration, upon request of the member, shall pay to the member's insurer an amount equal to the premium

1 required to be paid by the member for coverage of the member and any dependents under the disability  
2 insurance plan, subject to the limitation contained in subsection (2)(b).

3 (b) A payment made under subsection (2)(a) may not exceed the amount of the employer contribution  
4 for group benefits for members of the legislature as provided for in 2-18-703.

5 (c) Unused employer contributions may be transferred to an account as provided in 2-18-703 for a  
6 member who:

7 (i) does not enroll;

8 (ii) is a state employee whose contributions are paid for by another agency; or

9 (iii) terminates enrollment and is insured under another plan providing disability insurance.

10 (d) If the department of administration does not request transfer of the unused employer contributions  
11 as provided in subsection (2)(c), any unused portion must revert to the general fund at the end of the biennium."

12  
13 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2013.

14 - END -