

1 SENATE BILL NO. 228

2 INTRODUCED BY D. WANZENRIED

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LEGISLATURE'S REVENUE ESTIMATING LAWS;
5 PROVIDING THAT THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE'S REVENUE
6 ESTIMATING RESOLUTION DOES NOT CONSTITUTE THE LEGISLATURE'S OFFICIAL REVENUE
7 ESTIMATE UNTIL FINAL ADOPTION OF THE ESTIMATE BY BOTH HOUSES; AND AMENDING SECTION
8 5-5-227, MCA."

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

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12 **Section 1.** Section 5-5-227, MCA, is amended to read:

13 **"5-5-227. Revenue and transportation interim committee -- powers and duties -- revenue**
14 **estimating joint resolution and use of estimates.** (1) The revenue and transportation interim committee has
15 administrative rule review, draft legislation review, program evaluation, and monitoring functions for the
16 department of revenue and the department of transportation and the entities attached to the departments for
17 administrative purposes.

18 (2) (a) The committee must have prepared by December 1 for introduction during each regular session
19 of the legislature in which a revenue bill is under consideration a joint resolution that provides an estimate of the
20 amount of revenue projected to be available for legislative appropriation.

21 (b) The committee may prepare for introduction during a special session of the legislature in which a
22 revenue bill or an appropriation bill is under consideration a joint resolution that provides an estimate of the
23 amount of projected revenue. The revenue estimate is considered a subject specified in the call of a special
24 session under 5-3-101.

25 ~~_____ (3) The committee's estimate, as introduced in the legislature, constitutes the legislature's current~~
26 ~~revenue estimate until amended or until final adoption of the estimate by both houses. It is intended that the~~
27 ~~legislature's estimates and the assumptions underlying the estimates will be used by all agencies with~~
28 ~~responsibilities for estimating revenue or costs, including the preparation of fiscal notes.~~

29 (3) (a) (i) The committee's estimate, in the form of a joint resolution as introduced in the legislature, is
30 the current revenue estimate until final adoption of the estimate by both houses.

1 (ii) Subject to subsection (2)(b), the estimate and the assumptions underlying the estimate must be used
2 by all agencies with responsibilities for estimating revenue or costs, including the preparation of fiscal notes.

3 (b) (i) The revenue estimate and the assumptions underlying the estimate do not constitute the
4 legislature's revenue estimate for the purpose of determining whether there is a balanced budget as required by
5 Article VIII, section 9, of the Montana Constitution until final adoption of the estimate by both houses.

6 (ii) Upon final adoption by both houses, the adopted revenue estimate must be used by all agencies with
7 responsibility for estimating revenue or costs, including the preparation of fiscal notes, and it must be used for
8 the purpose of determining whether there is a projected general fund deficit under 17-7-140.

9 (4) The legislative services division shall provide staff assistance to the committee. The committee may
10 request the assistance of the staffs of the office of the legislative fiscal analyst, the legislative auditor, the
11 department of revenue, and any other agency that has information regarding any of the tax or revenue bases of
12 the state."

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