

HOUSE BILL NO. 650

INTRODUCED BY R. BRODEHL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING TRANSFERS AND FEES AND OTHER NECESSARY  
5 MEASURES TO IMPLEMENT THE GENERAL APPROPRIATIONS ACT RELATING TO MOTOR VEHICLES  
6 AND CORRECTIONS; CREATING AND INCREASING FEE PAYMENTS RELATED TO THE MOTOR VEHICLE  
7 DIVISION; CREATING STATE SPECIAL REVENUE ACCOUNTS AND ALLOCATING PAYMENTS OF FEES  
8 TO THE ACCOUNTS; REPEALING THE BOOT CAMP INCARCERATION PROGRAM; SETTING A MAXIMUM  
9 PAYMENT TO REGIONAL CORRECTIONS FACILITIES FOR THE BIENNIUM BEGINNING JULY 1, 2017;  
10 INCREASING FEE PAYMENTS FOR ISSUANCE OF TEMPORARY REGISTRATION PERMITS; EXPANDING  
11 THE USE OF THE VEHICLE INSURANCE VERIFICATION AND LICENSE PLATE OPERATING ACCOUNT;  
12 PROVIDING FOR STATUTORY APPROPRIATIONS; AMENDING SECTIONS 17-7-502, 46-18-201, 53-1-202,  
13 53-30-134, 53-30-507, 61-3-118, 61-3-224, AND 61-6-158, MCA; REPEALING SECTIONS 53-30-401,  
14 53-30-402, AND 53-30-403, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

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

17  
18 NEW SECTION. **Section 1. Transfers.** By August 15, 2017, the state treasurer shall make the following  
19 transfers:

- 20 (1) \$1,500,000 from the consumer protection state special revenue account administered by the  
21 department of justice to the general fund;
- 22 (2) \$8,100,000 from the consumer protection state special revenue account administered by the  
23 department of justice to the long-range building program account for construction at the Montana Law  
24 Enforcement Academy; and
- 25 (3) \$300,000 from the parental contributions account established in 41-5-112 to the general fund.

26  
27 NEW SECTION. **Section 2. Medical examiner state special revenue account.** (1) There is an  
28 account in the state special revenue fund established by 17-2-102 to be known as the medical examiner account.

- 29 (2) Fees for services rendered pursuant to 46-4-103 must be deposited in the account.
- 30 (3) Funds in the account may only be used for the operation and administration of state forensic

1 laboratories.

2

3 **NEW SECTION. Section 3. Motor vehicle division administrative fees.** The motor vehicle division  
4 of the department shall charge, impose, and collect a 7.5% administrative fee on all fees charged under 23-2-809,  
5 23-2-617, and this title as follows:

6 (1) a 5.5% administrative fee to be deposited into the motor vehicle division administration account  
7 established in [section 4]; and

8 (2) a 2% administrative fee to be deposited into the highway patrol administration account established  
9 in [section 5].

10

11 **NEW SECTION. Section 4. Motor vehicle division state special revenue account.** (1) There is an  
12 account in the state special revenue fund established by 17-2-102 to be known as the motor vehicle division  
13 administration account.

14 (2) Administrative fees collected on behalf of the motor vehicle division pursuant to [section 3(1)] must  
15 be deposited in the account.

16 (3) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department for the  
17 operations and administration of the motor vehicle division.

18

19 **NEW SECTION. Section 5. Highway patrol administration state special revenue account.** (1) There  
20 is an account in the state special revenue fund established by 17-2-102 to be known as the highway patrol  
21 administration account.

22 (2) Administrative fees collected on behalf of the Montana highway patrol pursuant to [section 3(2)] must  
23 be deposited in the account.

24 (3) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of  
25 justice for the operations and administration of the Montana highway patrol.

26

27 **Section 6.** Section 17-7-502, MCA, is amended to read:

28 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory  
29 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the  
30 need for a biennial legislative appropriation or budget amendment.

1 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both  
2 of the following provisions:

3 (a) The law containing the statutory authority must be listed in subsection (3).

4 (b) The law or portion of the law making a statutory appropriation must specifically state that a statutory  
5 appropriation is made as provided in this section.

6 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120;  
7 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312;  
8 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101;  
9 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215;  
10 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506;  
11 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617;  
12 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301;  
13 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; section 5; 44-4-1101;  
14 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; section  
15 4; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362;  
16 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102];  
17 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

18 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,  
19 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued  
20 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana  
21 to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state  
22 treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory  
23 appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion  
24 of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded  
25 liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and  
26 sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L.  
27 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under  
28 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion  
29 of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004  
30 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30,

1 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017;  
2 pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency;  
3 pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch.  
4 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec.  
5 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015,  
6 the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of  
7 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of  
8 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117  
9 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates  
10 September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December  
11 31, 2023.)"

12

13 **Section 7.** Section 46-18-201, MCA, is amended to read:

14 **"46-18-201. Sentences that may be imposed.** (1) (a) Whenever a person has been found guilty of an  
15 offense upon a verdict of guilty or a plea of guilty or nolo contendere, a sentencing judge may defer imposition  
16 of sentence, except as otherwise specifically provided by statute, for a period:

17 (i) not exceeding 1 year for a misdemeanor or for a period not exceeding 3 years for a felony; or

18 (ii) not exceeding 2 years for a misdemeanor or for a period not exceeding 6 years for a felony if a  
19 financial obligation is imposed as a condition of sentence for either the misdemeanor or the felony, regardless  
20 of whether any other conditions are imposed.

21 (b) Except as provided in 46-18-222, imposition of sentence in a felony case may not be deferred in the  
22 case of an offender who has been convicted of a felony on a prior occasion, whether or not the sentence was  
23 imposed, imposition of the sentence was deferred, or execution of the sentence was suspended.

24 (2) Whenever a person has been found guilty of an offense upon a verdict of guilty or a plea of guilty or  
25 nolo contendere, a sentencing judge may suspend execution of sentence, except as otherwise specifically  
26 provided by statute, for a period up to the maximum sentence allowed or for a period of 6 months, whichever is  
27 greater, for each particular offense.

28 (3) (a) Whenever a person has been found guilty of an offense upon a verdict of guilty or a plea of guilty  
29 or nolo contendere, a sentencing judge may impose a sentence that may include:

30 (i) a fine as provided by law for the offense;

- 1 (ii) payment of costs, as provided in 46-18-232, or payment of costs of assigned counsel as provided in  
2 46-8-113;
- 3 (iii) a term of incarceration, as provided in Title 45 for the offense, at a county detention center or at a  
4 state prison to be designated by the department of corrections;
- 5 (iv) commitment of:
- 6 (A) an offender not referred to in subsection (3)(a)(iv)(B) to the department of corrections, with a  
7 recommendation for placement in an appropriate correctional facility or program; however, all but the first 5 years  
8 of the commitment to the department of corrections must be suspended, except as provided in 45-5-503(4),  
9 45-5-507(5), 45-5-601(3), 45-5-602(3), 45-5-603(2)(b), and 45-5-625(4); or
- 10 (B) a youth transferred to district court under 41-5-206 and found guilty in the district court of an offense  
11 enumerated in 41-5-206 to the department of corrections for a period determined by the court for placement in  
12 an appropriate correctional facility or program;
- 13 (v) with the approval of the facility or program, placement of the offender in a community corrections  
14 facility or program as provided in 53-30-321;
- 15 (vi) with the approval of the prerelease center or prerelease program and confirmation by the department  
16 of corrections that space is available, placement of the offender in a prerelease center or prerelease program for  
17 a period not to exceed 1 year;
- 18 (vii) chemical treatment of sexual offenders, as provided in 45-5-512, if applicable, that is paid for by and  
19 for a period of time determined by the department of corrections, but not exceeding the period of state supervision  
20 of the person; or
- 21 (viii) any combination of subsections (2) and (3)(a)(i) through (3)(a)(vii).
- 22 (b) A court may permit a part or all of a fine to be satisfied by a donation of food to a food bank program.
- 23 (4) When deferring imposition of sentence or suspending all or a portion of execution of sentence, the  
24 sentencing judge may impose upon the offender any reasonable restrictions or conditions during the period of  
25 the deferred imposition or suspension of sentence. Reasonable restrictions or conditions imposed under  
26 subsection (1)(a) or (2) may include but are not limited to:
- 27 (a) limited release during employment hours as provided in 46-18-701;
- 28 (b) incarceration in a detention center not exceeding 180 days;
- 29 (c) conditions for probation;
- 30 (d) payment of the costs of confinement;

- 1 (e) payment of a fine as provided in 46-18-231;
- 2 (f) payment of costs as provided in 46-18-232 and 46-18-233;
- 3 (g) payment of costs of assigned counsel as provided in 46-8-113;
- 4 (h) with the approval of the facility or program, an order that the offender be placed in a community  
5 corrections facility or program as provided in 53-30-321;
- 6 (i) with the approval of the prerelease center or prerelease program and confirmation by the department  
7 of corrections that space is available, an order that the offender be placed in a prerelease center or prerelease  
8 program for a period not to exceed 1 year;
- 9 (j) community service;
- 10 (k) home arrest as provided in Title 46, chapter 18, part 10;
- 11 (l) payment of expenses for use of a judge pro tempore or special master as provided in 3-5-116;
- 12 ~~\_\_\_\_\_ (m) with the approval of the department of corrections and with a signed statement from an offender that~~  
13 ~~the offender's participation in the boot camp incarceration program is voluntary, an order that the offender~~  
14 ~~complete the boot camp incarceration program established pursuant to 53-30-403;~~
- 15 ~~(n)~~(m) participation in a day reporting program provided for in 53-1-203;
- 16 ~~(o)~~(n) participation in the 24/7 sobriety and drug monitoring program provided for in Title 44, chapter 4,  
17 part 12, for a violation of 61-8-465, a second or subsequent violation of 61-8-401, 61-8-406, or 61-8-411, or a  
18 second or subsequent violation of any other statute that imposes a jail penalty of 6 months or more if the abuse  
19 of alcohol or dangerous drugs was a contributing factor in the commission of the crime or for a violation of any  
20 statute involving domestic abuse or the abuse or neglect of a minor if the abuse of alcohol or dangerous drugs  
21 was a contributing factor in the commission of the crime regardless of whether the charge or conviction was for  
22 a first, second, or subsequent violation of the statute;
- 23 ~~(p)~~(o) participation in a restorative justice program approved by court order and payment of a  
24 participation fee of up to \$150 for program expenses if the program agrees to accept the offender;
- 25 ~~(q)~~(p) any other reasonable restrictions or conditions considered necessary for rehabilitation or for the  
26 protection of the victim or society; or
- 27 ~~(r)~~(q) any combination of the restrictions or conditions listed in subsections (4)(a) through ~~(4)(q)~~ (4)(p).
- 28 (5) In addition to any other penalties imposed, if a person has been found guilty of an offense upon a  
29 verdict of guilty or a plea of guilty or nolo contendere and the sentencing judge finds that a victim, as defined in  
30 46-18-243, has sustained a pecuniary loss, the sentencing judge shall, as part of the sentence, require payment

1 of full restitution to the victim, as provided in 46-18-241 through 46-18-249, whether or not any part of the  
2 sentence is deferred or suspended.

3 (6) In addition to any of the penalties, restrictions, or conditions imposed pursuant to subsections (1)  
4 through (5), the sentencing judge may include the suspension of the license or driving privilege of the person to  
5 be imposed upon the failure to comply with any penalty, restriction, or condition of the sentence. A suspension  
6 of the license or driving privilege of the person must be accomplished as provided in 61-5-214 through 61-5-217.

7 (7) In imposing a sentence on an offender convicted of a sexual or violent offense, as defined in  
8 46-23-502, the sentencing judge may not waive the registration requirement provided in Title 46, chapter 23, part  
9 5.

10 (8) If a felony sentence includes probation, the department of corrections shall supervise the offender  
11 unless the court specifies otherwise.

12 (9) As used in this section, "dangerous drug" has the meaning provided in 50-32-101."  
13

14 **Section 8.** Section 53-1-202, MCA, is amended to read:

15 **"53-1-202. Department of corrections.** (1) Adult and youth correctional services are included in the  
16 department of corrections to carry out the purposes of the department.

17 (2) Adult corrections services consist of the following correctional facilities or programs:

18 (a) the prisons listed in 53-30-101;

19 (b) appropriate community-based programs for the placement, supervision, and rehabilitation of adult  
20 felons who meet the criteria developed by the department for placement:

21 (i) in prerelease centers;

22 (ii) under intensive supervision;

23 (iii) under parole or probation pursuant to Title 46, chapter 23, part 2; or

24 (iv) in other appropriate programs; and

25 ~~(c) the boot camp authorized by 53-30-403; and~~

26 ~~(d)~~(c) the Montana correctional enterprises prison industries training program authorized by 53-30-131.

27 (3) Youth correctional services consist of the following correctional facilities or programs to provide for  
28 custody, supervision, training, education, and rehabilitation of delinquent youth and youth in need of intervention  
29 pursuant to Title 52, chapter 5:

30 (a) Pine Hills youth correctional facility or other state youth correctional facility; and

1 (b) any other facility or program that provides custody and services for delinquent youth.

2 (4) A state institution or correctional facility may not be moved, discontinued, or abandoned without the  
3 consent of the legislature."

4

5 **Section 9.** Section 53-30-134, MCA, is amended to read:

6 **"53-30-134. Montana correctional enterprises license plate production operating account.** (1)

7 There is a license plate production operating account of the ~~internal-service~~ enterprise fund type, as provided in  
8 17-2-102.

9 (2) All payments received by the Montana correctional enterprises program under a contract related to  
10 the manufacture of license plates, products and services provided for pursuant to 53-30-131 through 53-30-133,  
11 and ~~or~~ fees paid under 61-3-478 must be deposited in the account.

12 (3) The money in the license plate production operating account must be used by Montana correctional  
13 enterprises for the operation and enhancement of its inmate training and license plate manufacturing enterprise."

14

15 **Section 10.** Section 53-30-507, MCA, is amended to read:

16 **"53-30-507. Rulemaking authority.** (1) The department may adopt rules to implement this part,  
17 including rules for the determination of how sites are to be chosen for regional correctional facilities. The rules  
18 must provide that in selecting a site, the department shall consider the need for a regional correctional facility in  
19 the area, the ability and willingness of a local governmental entity or a corporation to enter into a long-term  
20 contract with the department, and the availability of rehabilitative services to inmates. The rules must require that  
21 a corporation respond to a request for proposals prepared by the department for a regional correctional facility  
22 before a contract may be entered with that corporation.

23 (2) The department shall adopt rules that include the minimum applicable standards for the construction,  
24 operation, and physical condition of a state correctional facility portion of a regional correctional facility and for  
25 the security, safety, health, treatment, and discipline of persons confined in a state correctional facility portion of  
26 a regional correctional facility. The rules must require that a privately operated or privately owned and operated  
27 state correctional facility portion of a regional correctional facility conform to applicable American correctional  
28 association and national commission on correctional health care standards.

29 (3) (a) The department shall adopt rules pursuant to Title 2, chapter 4, that specify a per diem rate that  
30 must be paid to a regional correctional facility for the confinement of persons in the state correctional facility



1 portion of the regional correctional facility.

2 (b) The rules adopted pursuant to subsection (3)(a) must include but are not limited to:

3 (i) a definition of per diem rate;

4 (ii) a method of calculating the per diem rate; and

5 (iii) the costs to be included in the per diem rate calculation.

6 (c) At a minimum, the per diem rate must include compensation for:

7 (i) direct costs, including budget expenditures directly attributable to confining inmates;

8 (ii) indirect costs, including budget expenditures that are not directly associated with the confinement of  
9 inmates but that are incurred to provide support services for the regional correctional facility;

10 (iii) capital costs, including depreciation or a pro rata portion of capital costs incurred; and

11 (iv) other costs that the department determines are necessary, including medical or transportation costs.

12 (d) The department shall determine by rule the costs that are not allowable as part of a per diem rate.

13 Unallowable costs must include programs and services that do not have a direct benefit to persons confined in  
14 the regional correctional facility and depreciation for capital improvements paid for by the department and  
15 depreciation for equipment used in providing support services.

16 (e) A population factor must be included in the per diem rate to allow for accurate compensation based  
17 on the number of inmates confined in the regional correctional facility.

18 (f) The rules must provide for billing procedures and must allow for review of the per diem rate at least  
19 once each fiscal year. When reviewing the per diem rate, the department shall accept public comment that must  
20 be considered when the department is determining the accuracy of the per diem rate for the next fiscal year.

21 (4) For the biennium beginning July 1, 2017, the department may pay to a regional correctional facility  
22 no more than the rate it paid to that facility on November 15, 2016."

23

24 **Section 11.** Section 61-3-118, MCA, is amended to read:

25 **"61-3-118. Motor vehicle electronic commerce operating account.** (1) There is a motor vehicle  
26 electronic commerce operating account of the enterprise fund type as provided in 17-2-102.

27 (2) ~~Fees~~ A portion of the fees imposed for issuance of a temporary registration permit under 61-3-224  
28 must be deposited in the account.

29 (3) The money in the motor vehicle electronic commerce operating account must be used by the  
30 department to pay costs directly incurred in the operation, maintenance, and enhancement of electronic

1 commerce applications, including but not limited to payments to third-party vendors who provide services to  
2 support the applications."

3

4 **Section 12.** Section 61-3-224, MCA, is amended to read:

5 **"61-3-224. Temporary registration permit -- authority to adopt rules -- issuance -- placement --**

6 **fees.** (1) The department may adopt rules governing the issuance of temporary registration permits. The rules  
7 must specify the purposes for which a temporary registration permit may be issued, including but not limited to  
8 issuance to:

9 (a) a Montana resident who acquires a new or used motor vehicle, trailer, semitrailer, pole trailer,  
10 motorboat, sailboat that is 12 feet in length or longer, snowmobile, or off-highway vehicle for operation of the  
11 vehicle or vessel prior to titling and registration of the vehicle or vessel under this chapter;

12 (b) the owner of a salvage vehicle or a vehicle requiring a state-assigned vehicle identification number  
13 in order to move the vehicle to and from a designated inspection site prior to applying for a new certificate of title  
14 under 61-3-107 or 61-3-212;

15 (c) the owner of a motor vehicle, trailer, semitrailer, or pole trailer registered in this state for operation  
16 of the vehicle while awaiting production and receipt of special or duplicate license plates ordered for the vehicle  
17 under this chapter;

18 (d) a nonresident of this state who acquires a motor vehicle, trailer, semitrailer, or pole trailer in this state  
19 for operation of the vehicle prior to its titling and registration under the laws of the nonresident's jurisdiction of  
20 residence;

21 (e) a dealer licensed in another state who brings a motor vehicle or trailer designed and used to apply  
22 fertilizer to agricultural lands into the state for special demonstration in this state;

23 (f) a financial institution located in Montana for a prospective purchaser to demonstrate a motor vehicle  
24 that the financial institution has obtained following repossession;

25 (g) an insurer or its agent to move a motor vehicle or trailer to auction following acquisition of the vehicle  
26 by the insurer as a result of the settlement of an insurance claim; or

27 (h) a nonresident owner to temporarily operate a quadricycle or motorcycle designed for off-road  
28 recreational use on the highways of this state when the quadricycle or motorcycle designed for off-road  
29 recreational use is equipped for use on the highways as prescribed in chapter 9 but the quadricycle or motorcycle  
30 designed for off-road recreational use is not registered or is only registered for off-road use in the nonresident's

1 home state.

2 (2) (a) The department, an authorized agent, or a county treasurer may issue a temporary registration  
3 permit for any purpose authorized under the rules adopted by the department.

4 (b) An authorized agent or a county treasurer may issue a temporary registration permit without use of  
5 the department-approved electronic interface only if authorized by the department.

6 (3) A person, using a department-approved electronic interface, may issue a temporary registration  
7 permit for any purpose authorized under the rules adopted by the department.

8 (4) A temporary registration permit issued under this section must contain the following information:

9 (a) a temporary plate number as prescribed by the department;

10 (b) the expiration date of the temporary registration permit; and

11 (c) if required by the department, a description of the motor vehicle, trailer, semitrailer, pole trailer,  
12 motorboat, personal watercraft, sailboat, or snowmobile, including year, make, model, and vehicle identification  
13 number, the name of the person from whom ownership of the motor vehicle, trailer, semitrailer, pole trailer,  
14 motorboat, personal watercraft, sailboat, or snowmobile was transferred, the name, mailing address, and  
15 residence address of the person to whom ownership of the motor vehicle, trailer, semitrailer, pole trailer,  
16 motorboat, personal watercraft, sailboat, or snowmobile has been transferred, and the date of issuance.

17 (5) A temporary registration permit for:

18 (a) a motor vehicle, trailer, semitrailer, or pole trailer must be plainly visible and firmly attached to the  
19 rear exterior of the vehicle where a license plate is required to be displayed; and

20 (b) a motorboat, a sailboat that is 12 feet in length or longer, a snowmobile, or an off-highway vehicle  
21 must be plainly visible and firmly attached to the vehicle or vessel.

22 (6) (a) Except as provided in 61-3-431 and subsection (6)(b) of this section, a ~~\$3~~ \$19.50 fee is imposed  
23 upon issuance of a temporary registration permit by the department, an authorized agent, or a county treasurer.  
24 The fee must be paid by the owner of the vehicle or vessel and collected by the department, the authorized agent,  
25 or a county treasurer when the ~~vehicle is registered~~ temporary registration permit is issued.

26 (b) Except as provided in 61-3-431, a fee of ~~\$8~~ \$24.50 is imposed and must be paid upon issuance of  
27 a temporary registration permit by:

28 (i) the department, an authorized agent, or a county treasurer to a nonresident of this state who acquires  
29 a vehicle or vessel in this state or who registers for temporary use in this state a quadricycle or motorcycle  
30 designed for off-road recreational use; or

1 (ii) a person who issued a temporary registration permit using a department-approved electronic interface.

2 (7) The fees imposed under this section, upon collection, must be forwarded to the state and deposited  
3 as follows:

4 (a) \$16.50 from each permit fee collected pursuant to subsection (6) in the state special revenue account  
5 established in 44-10-204; and

6 (b) the remainder in the motor vehicle electronic commerce operating account provided for in 61-3-118.

7 (8) If a temporary registration permit is issued under this section to a person to whom ownership of a  
8 vehicle or vessel has been transferred, the permitholder shall title and register the vehicle or vessel in this or  
9 another jurisdiction before the ownership of the vehicle or vessel may be transferred to another person."  
10

11 **Section 13.** Section 61-6-158, MCA, is amended to read:

12 **"61-6-158. Vehicle insurance verification and license plate operating account.** (1) There is a vehicle  
13 insurance verification and license plate operating account in the state special revenue fund type as provided in  
14 17-2-102.

15 (2) Fees imposed under 61-3-321(7)(b)(ii) and (13), 61-3-333, 61-3-465(1)(b)(i), 61-3-480(2)(c)(i), or  
16 61-3-562(1)(a)(ii) or established and collected under 61-6-105 must be deposited in the account.

17 (3) The money in the vehicle insurance verification and license plate operating account must be used  
18 by the department to pay costs incurred in or associated with the operation, maintenance, and enhancement of  
19 the system established under 61-6-157 and the contract required in 61-3-338 for the manufacture and distribution  
20 of license plates by Montana correctional enterprises or other costs incurred by the department or as otherwise  
21 appropriated by the legislature to the department."  
22

23 NEW SECTION. **Section 14. Repealer.** The following sections of the Montana Code Annotated are  
24 repealed:

25 53-30-401. Definitions.

26 53-30-402. Completion of boot camp -- suspension of sentence.

27 53-30-403. Boot camp incarceration program -- eligibility -- rulemaking.  
28

29 NEW SECTION. **Section 15. Codification instruction.** (1) [Section 2] is intended to be codified as  
30 an integral part of Title 46, chapter 4, and the provisions of Title 46, chapter 4, apply to [section 2].

1 (2) [Sections 3 and 4] are intended to be codified as an integral part of Title 61, chapter 3, and the  
2 provisions of Title 61, chapter 3, apply to [sections 3 and 4].

3 (3) [Section 5] is intended to be codified as an integral part of Title 44, chapter 1, and the provisions of  
4 Title 44, chapter 1, apply to [section 5].

5  
6 COORDINATION SECTION. **Section 16. Coordination instruction.** If both House Bill No. 5 and [this  
7 act] are passed and approved and House Bill No. 5 does not contain an appropriation of \$8.1 million to the  
8 department of justice for capital projects at the Montana law enforcement academy, the transfer in [section 1(2)]  
9 is void.

10  
11 NEW SECTION. **Section 17. Effective dates.** (1) Except as provided in subsection (2), [this act] is  
12 effective July 1, 2017.

13 (2) [Sections 3, 4, and 5] are effective January 1, 2018.

14

15 NEW SECTION. **Section 18. Termination.** [Sections 4(3), 5(3), and 6] terminate June 30, 2021.

16

- END -