66th Legislature HB0433.01

1	HOUSE BILL NO. 433
2	INTRODUCED BY F. MOORE
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THE LEGISLATIVE FISCAL ANALYST ACCESS TO
5	CERTAIN HEALTH CARE AND PUBLIC ASSISTANCE INFORMATION AND TO CHILD AND FAMILY
6	SERVICES DIVISION INFORMATION; AMENDING SECTION 5-12-303, MCA; AND PROVIDING AN
7	IMMEDIATE EFFECTIVE DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	Section 1. Section 5-12-303, MCA, is amended to read:
12	"5-12-303. Fiscal analysis information from state agencies. (1) The legislative fiscal analyst may
13	investigate and examine the costs and revenue of state government activities and may examine and obtain copies
14	of the records, books, and files of any state agency, including confidential records.
15	(2) When confidential records and information are obtained from a state agency, the legislative fiscal
16	analyst and staff must be subject to the same penalties for unauthorized disclosure of the confidential records
17	and information provided for under the laws administered by the state agency. The legislative fiscal analyst shall
18	develop policies to prevent the unauthorized disclosure of confidential records and information obtained from
19	state agencies.
20	(3) (a) The department of revenue shall make Montana individual income tax information available by
21	removing names, addresses, and social security numbers and substituting in their place a state accounting record
22	identifier number. Except for the purposes of complying with federal law, the department may not alter the data
23	in any other way.
24	(b) The department of revenue shall provide the name and address of a taxpayer on written request of
25	the legislative fiscal analyst when the values on the requested return, including estimated payments, are
26	considered necessary by the legislative fiscal analyst to properly analyze state revenue and are of a sufficient
27	magnitude to materially affect the analysis and when the identity of the taxpayer is necessary to evaluate the
28	effect of the return or payments on the analysis being performed.
29	(4) (a) The department of public health and human services shall make the following information available
30	by removing names, addresses, and social security numbers and substituting in their place a record identifier:

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l /i\	all Montana	medicaid and	l childran's	health i	neuranca	program	claime	inform	ation:
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- 2 (ii) all public assistance and health care enrollment information; and
- 3 (iii) all child and family services division information.
- 4 (b) The information must be provided in an electronic format and updated on a monthly basis.

(4)(5) Within 1 day after the legislative finance committee presents its budget analysis to the legislature, the budget director and the legislative fiscal analyst shall exchange expenditure and disbursement recommendations by second-level expenditure detail and by funding sources detailed by accounting entity. This information must be filed in the respective offices and be made available to the legislature and the public. In preparing the budget analysis for the next biennium for submission to the legislature, the legislative fiscal analyst shall use the base budget, the present law base, and new proposals as defined in 17-7-102.

(5)(6) This section does not authorize publication or public disclosure of information if the law prohibits publication or disclosure or if the department of revenue notifies the fiscal analyst that specified records or information may contain confidential information."

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

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