

SENATE BILL NO. 215

INTRODUCED BY R. WEBB

BY REQUEST OF THE SENATE TAXATION STANDING COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LEGISLATURE'S REVENUE ESTIMATING LAWS; PROVIDING THAT THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE'S REVENUE ESTIMATING RESOLUTION WHEN INTRODUCED AS A SENATE JOINT RESOLUTION DOES NOT CONSTITUTE THE LEGISLATURE'S OFFICIAL REVENUE ESTIMATE UNTIL FINAL ADOPTION OF THE ESTIMATE BY BOTH HOUSES; AMENDING SECTION 5-5-227, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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

"5-5-227. Revenue and transportation interim committee -- powers and duties -- revenue estimating senate joint resolution and use of estimates. (1) The revenue and transportation interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the state tax appeal board established in 2-15-1015 and for the department of revenue and the department of transportation and the entities attached to the departments for administrative purposes, except the division of the department of revenue that administers the Montana Alcoholic Beverage Code.

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

(ii) The senate shall transmit the senate joint resolution on the revenue estimate to the house no later than the 60th legislative day.

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

(3) (a) (i) The committee's estimate, in the form of a senate joint resolution as introduced in the



1 legislature, ~~constitutes is~~ the legislature's current revenue estimate ~~until amended or~~ AND MUST BE USED BY ALL  
 2 AGENCIES WITH RESPONSIBILITIES FOR ESTIMATING REVENUE OR COSTS, INCLUDING THE PREPARATION OF FISCAL NOTES,  
 3 until final adoption of the estimate by both houses. ~~It is intended that the legislature's estimates and the~~  
 4 ~~assumptions underlying the estimates will~~

5 ~~(ii) Subject to subsections (3)(b) and (3)(c), the estimate and the assumptions underlying the estimate~~  
 6 ~~must be used by all agencies with responsibilities for estimating revenue or costs, including the preparation of~~  
 7 ~~fiscal notes.~~

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

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

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

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

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21 NEW SECTION. Section 3. Applicability. [This act] applies to legislative sessions commencing after  
 22 the 66th regular legislative session.

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