

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COURT ADMINISTRATION TO IMPROVE THE
5 EFFICIENCY AND EFFECTIVENESS OF COURT OPERATIONS; CREATING THE CIVIL JUSTICE
6 IMPROVEMENTS GRANT PROGRAM TO BE ADMINISTERED BY THE SUPREME COURT
7 ADMINISTRATOR; INCREASING FEES FOR CERTAIN FILINGS IN DISTRICT COURT; CREATING AN
8 ACCOUNT AND ALLOCATING A PORTION OF THE FILING FEES TO THE ACCOUNT; PROVIDING FOR
9 ACCOUNTABILITY OF FUNDS; AMENDING SECTIONS 3-1-702, 3-2-714, 15-1-121, 25-1-201, 25-9-506, 37-
10 61-421, AND 44-7-202, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 NEW SECTION. **Section 1. Civil justice improvements account.** (1) There is a civil justice
15 improvements account in the state special revenue fund established in 17-2-102(1)(b)(i). The revenue in the
16 account must be used solely to provide funding to improve the administration of civil legal matters as provided
17 in [section 2]. Programs funded by the account are intended to improve court efficiency, reduce delays, provide
18 legal information and assistance to persons of limited means, and help all court users save time and money by
19 resolving their disputes more quickly.

20 (2) There must be paid into the account money collected pursuant to 25-1-201(5) through (7), and 25-
21 9-506(1).

22 (3) Money deposited in the account is subject to appropriation by the legislature and may be used
23 only by the supreme court administrator to provide civil justice improvement grants pursuant to [section 2].

24
25 NEW SECTION. **Section 2. Civil justice improvements grant program.** (1) There is a civil justice
26 improvements grant program administered by the supreme court administrator.

27 (2) Alternative dispute resolution programs connected with a district court or court of limited
28 jurisdiction, legal aid clinics affiliated with an accredited Montana law school that assist persons of limited

1 means with civil legal matters, and tax-exempt organizations are eligible to receive grant funds from the
 2 program. An eligible tax-exempt organization must be a 501(c)(3) nonprofit organization in operation for at least
 3 1 year that ordinarily renders or finances legal services to persons of limited means in civil matters or
 4 coordinates volunteer or reduced-fee legal services to provide attorney representation to Montanans of limited
 5 means. Funds awarded from the program may be used only for the purposes set forth in this section.

6 (3) The supreme court administrator shall establish criteria and procedures for the distribution and
 7 accountability of money in the account. The supreme court administrator shall award grant funds in accordance
 8 with Title 18, chapter 4, within the amount appropriated by the legislature, giving priority to alternative dispute
 9 resolution for high-volume self-representation cases such as family law and landlord-tenant matters; to
 10 improving case resolution in state courts with heavy court caseloads, or that are in locations that lack access to
 11 legal services, including those with large Indian populations; and to other means of resolving legal disputes
 12 more efficiently, such as technological innovations, legal forms, instructional materials explaining court rules
 13 and processes, and helping persons of limited means obtain volunteer or reduced-fee legal services.

14 (4) An applicant for a grant of funds from the account shall include in the grant application a detailed
 15 plan for how the applicant will use the funds for one or more of the purposes of this section and for how the
 16 applicant will collect and report data, account for the funds received, and measure progress on performance
 17 goals.

18 (5) Money disbursed from the account cannot be used to bring a suit against the state of Montana or
 19 other governmental entity, unless the suit is brought to enforce an individual's right to access governmental
 20 benefits or services provided under a statute or regulation, including but not limited to social security, medicare,
 21 medicaid, and housing benefits; to acquire land or buildings; to provide legal advice or representation on
 22 criminal matters; to support lobbying, as defined in 5-7-102(11); or to pay attorneys employed in for-profit law
 23 firms.

24
 25 **NEW SECTION. Section 3. Reporting.** The supreme court administrator shall submit a report to the
 26 law and justice interim committee on or before September 30, 2025, documenting the amount of revenue
 27 deposited in the state special revenue account established in [section 1], the amount of funds distributed
 28 pursuant to [section 1], and the programs or nonprofit organizations to which funds were distributed. The report

1 must include a summary of the legal services provided to persons of limited means by organizations receiving
2 funds under [section 2], a summary of outcome measures, and information concerning the impact, if any, on
3 court efficiencies and caseloads. The report must also include a summary of cases, if any, in which a court has
4 imposed sanctions under 37-61-421(2) against an attorney whose services are funded by [section 2].

5

6 **Section 4.** Section 3-1-702, MCA, is amended to read:

7 **"3-1-702. Duties.** The court administrator is the administrative officer of the court. Under the direction
8 of the supreme court, the court administrator shall:

9 (1) prepare and present judicial budget requests to the legislature, including the costs of the state-
10 funded district court program;

11 (2) collect, compile, and report statistical and other data relating to the business transacted by the
12 courts and provide the information to the legislature on request;

13 (3) to the extent possible, provide that current and future information technology applications are
14 coordinated and compatible with the standards and goals of the executive branch as expressed in the state
15 strategic information technology plan provided for in 2-17-521;

16 (4) recommend to the supreme court improvements in the judiciary;

17 (5) administer legal assistance for indigent victims of domestic violence, as provided in 3-2-714;

18 (6) administer the civil justice improvements grant program, as provided in [section 2];

19 ~~(6)(7)~~ administer state funding for district courts, as provided in chapter 5, part 9;

20 ~~(7)(8)~~ administer the pretrial program provided for in 3-1-708;

21 ~~(8)(9)~~ administer the treatment court support account provided for in 46-1-1115;

22 ~~(9)(10)~~ administer the judicial branch personnel plan; and

23 ~~(10)(11)~~ perform other duties that the supreme court may assign."

24

25 **Section 5.** Section 3-2-714, MCA, is amended to read:

26 **"3-2-714. Civil legal assistance for indigent victims of domestic violence account.** (1) There is a
27 civil legal assistance for indigent victims of domestic violence account in the state special revenue fund. There
28 must be paid into this account the filing fees paid under 25-1-201(3)(a) and (5), except for those fees

1 designated for the state special revenue account established in [section 1]. The money in the account must be
 2 used solely for the purpose of providing legal representation for indigent victims in civil matters in domestic
 3 violence cases and for alternative dispute resolution initiatives in family law cases. Money in the account may
 4 not be used for class action lawsuits.

5 (2) The supreme court administrator shall establish procedures for the distribution and accountability
 6 of money in the account. The supreme court administrator may designate nonprofit organizations that ordinarily
 7 render or finance legal services to indigent persons in civil matters in domestic violence cases to receive or
 8 administer the distribution of the funds."

9

10 **Section 6.** Section 15-1-121, MCA, is amended to read:

11 **"15-1-121. Entitlement share payment -- purpose -- appropriation.** (1) As described in 15-1-
 12 120(3), each local government is entitled to an annual amount that is the replacement for revenue received by
 13 local governments for diminishment of property tax base and various earmarked fees and other revenue that,
 14 pursuant to Chapter 574, Laws of 2001, amended by section 4, Chapter 13, Special Laws of August 2002, and
 15 later enactments, were consolidated to provide aggregation of certain reimbursements, fees, tax collections,
 16 and other revenue in the state treasury with each local government's share. The reimbursement under this
 17 section is provided by direct payment from the state treasury rather than the ad hoc system that offset certain
 18 state payments with local government collections due the state and reimbursements made by percentage splits,
 19 with a local government remitting a portion of collections to the state, retaining a portion, and in some cases
 20 sending a portion to other local governments.

21 (2) The sources of dedicated revenue that were relinquished by local governments in exchange for an
 22 entitlement share of the state general fund were:

23 (a) personal property tax reimbursements pursuant to sections 167(1) through (5) and 169(6),
 24 Chapter 584, Laws of 1999;

25 (b) vehicle, boat, and aircraft taxes and fees pursuant to:

26 (i) Title 23, chapter 2, part 5;

27 (ii) Title 23, chapter 2, part 6;

28 (iii) Title 23, chapter 2, part 8;

- 1 (iv) 61-3-317;
- 2 (v) 61-3-321;
- 3 (vi) Title 61, chapter 3, part 5, except for 61-3-509(3), as that subsection read prior to the amendment
- 4 of 61-3-509 in 2001;
- 5 (vii) Title 61, chapter 3, part 7;
- 6 (viii) 5% of the fees collected under 61-10-122;
- 7 (ix) 61-10-130;
- 8 (x) 61-10-148; and
- 9 (xi) 67-3-205;
- 10 (c) gaming revenue pursuant to Title 23, chapter 5, part 6, except for the permit fee in 23-5-612(2)(a);
- 11 (d) district court fees pursuant to:
- 12 (i) 25-1-201, except those fees in 25-1-201(1)(d), (1)(g), and (1)(j);
- 13 (ii) 25-1-202;
- 14 (iii) 25-9-506, except for those fees designated in 25-9-506(1); and
- 15 (iv) 27-9-103;
- 16 (e) certificate of title fees for manufactured homes pursuant to 15-1-116;
- 17 (f) financial institution taxes collected pursuant to the former provisions of Title 15, chapter 31, part 7;
- 18 (g) all beer, liquor, and wine taxes pursuant to:
- 19 (i) 16-1-404;
- 20 (ii) 16-1-406; and
- 21 (iii) 16-1-411;
- 22 (h) late filing fees pursuant to 61-3-220;
- 23 (i) title and registration fees pursuant to 61-3-203;
- 24 (j) veterans' cemetery license plate fees pursuant to 61-3-459;
- 25 (k) county personalized license plate fees pursuant to 61-3-406;
- 26 (l) special mobile equipment fees pursuant to 61-3-431;
- 27 (m) single movement permit fees pursuant to 61-4-310;
- 28 (n) state aeronautics fees pursuant to 67-3-101; and

1 (o) department of natural resources and conservation payments in lieu of taxes pursuant to former
2 Title 77, chapter 1, part 5.

3 (3) Except as provided in subsection (7)(b), the total amount received by each local government in the
4 prior fiscal year as an entitlement share payment under this section is the base component for the subsequent
5 fiscal year distribution, and in each subsequent year the prior year entitlement share payment, including any
6 reimbursement payments received pursuant to subsection (7), is each local government's base component.
7 The sum of all local governments' base components is the fiscal year entitlement share pool.

8 (4) (a) Except as provided in subsections (4)(b)(iv) and (7)(b), the base entitlement share pool must
9 be increased annually by an entitlement share growth rate as provided for in this subsection (4). The amount
10 determined through the application of annual growth rates is the entitlement share pool for each fiscal year.

11 (b) By October 1 of each year, the department shall calculate the growth rate of the entitlement share
12 pool for the next fiscal year in the following manner:

13 (i) The department shall calculate the entitlement share growth rate based on the ratio of two factors
14 of state revenue sources for the first, second, and third most recently completed fiscal years as recorded on the
15 statewide accounting, budgeting, and human resource system. The first factor is the sum of the revenue for the
16 first and second previous completed fiscal years received from the sources referred to in subsections (2)(b),
17 (2)(c), and (2)(g) divided by the sum of the revenue for the second and third previous completed fiscal years
18 received from the same sources multiplied by 0.75. The second factor is the sum of the revenue for the first and
19 second previous completed fiscal years received from individual income tax as provided in Title 15, chapter 30,
20 and corporate income tax as provided in Title 15, chapter 31, divided by the sum of the revenue for the second
21 and third previous completed fiscal years received from the same sources multiplied by 0.25.

22 (ii) Except as provided in subsections (4)(b)(iii) and (4)(b)(iv), the entitlement share growth rate is the
23 lesser of:

24 (A) the sum of the first factor plus the second factor; or

25 (B) 1.03 for counties, 1.0325 for consolidated local governments, and 1.035 for cities and towns.

26 (iii) In no instance can the entitlement growth factor be less than 1. Subject to subsection (4)(b)(iv), the
27 entitlement share growth rate is applied to the most recently completed fiscal year entitlement payment to
28 determine the subsequent fiscal year payment.

1 (iv) The entitlement share growth rate, as described in this subsection (4), is:
2 (A) for fiscal year 2018, 1.005;
3 (B) for fiscal year 2019, 1.0187;
4 (C) for fiscal year 2020 and thereafter, determined as provided in subsection (4)(b)(ii). The rate must
5 be applied to the entitlement payment for the previous fiscal year as if the payment had been calculated using
6 entitlement share growth rates for fiscal years 2018 and 2019 as provided in subsection (4)(b)(ii).

7 (5) As used in this section, "local government" means a county, a consolidated local government, an
8 incorporated city, and an incorporated town. A local government does not include a tax increment financing
9 district provided for in subsection (8). The county or consolidated local government is responsible for making an
10 allocation from the county's or consolidated local government's share of the entitlement share pool to each
11 special district within the county or consolidated local government in a manner that reasonably reflects each
12 special district's loss of revenue sources for which reimbursement is provided in this section. The allocation for
13 each special district that existed in 2002 must be based on the relative proportion of the loss of revenue in
14 2002.

15 (6) (a) The entitlement share pools calculated in this section, the amounts determined under 15-1-
16 123(2) for local governments, the funding provided for in subsection (8) of this section, and the amounts
17 determined under 15-1-123(3) for tax increment financing districts are statutorily appropriated, as provided in
18 17-7-502, from the general fund to the department for distribution to local governments.

19 (b) (i) The growth amount is the difference between the entitlement share pool in the current fiscal
20 year and the entitlement share pool in the previous fiscal year. The growth factor in the entitlement share must
21 be calculated separately for:

- 22 (A) counties;
- 23 (B) consolidated local governments; and
- 24 (C) incorporated cities and towns.

25 (ii) In each fiscal year, the growth amount for counties must be allocated as follows:

- 26 (A) 50% of the growth amount must be allocated based upon each county's percentage of the prior
27 fiscal year entitlement share pool for all counties; and
- 28 (B) 50% of the growth amount must be allocated based upon the percentage that each county's

1 population bears to the state population not residing within consolidated local governments as determined by
2 the latest interim year population estimates from the Montana department of commerce as supplied by the
3 United States bureau of the census.

4 (iii) In each fiscal year, the growth amount for consolidated local governments must be allocated as
5 follows:

6 (A) 50% of the growth amount must be allocated based upon each consolidated local government's
7 percentage of the prior fiscal year entitlement share pool for all consolidated local governments; and

8 (B) 50% of the growth amount must be allocated based upon the percentage that each consolidated
9 local government's population bears to the state's total population residing within consolidated local
10 governments as determined by the latest interim year population estimates from the Montana department of
11 commerce as supplied by the United States bureau of the census.

12 (iv) In each fiscal year, the growth amount for incorporated cities and towns must be allocated as
13 follows:

14 (A) 50% of the growth amount must be allocated based upon each incorporated city's or town's
15 percentage of the prior fiscal year entitlement share pool for all incorporated cities and towns; and

16 (B) 50% of the growth amount must be allocated based upon the percentage that each city's or town's
17 population bears to the state's total population residing within incorporated cities and towns as determined by
18 the latest interim year population estimates from the Montana department of commerce as supplied by the
19 United States bureau of the census.

20 (v) In each fiscal year, the amount of the entitlement share pool before the growth amount or
21 adjustments made under subsection (7) are applied is to be distributed to each local government in the same
22 manner as the entitlement share pool was distributed in the prior fiscal year.

23 (7) (a) If the legislature enacts a reimbursement provision that is to be distributed pursuant to this
24 section, the department shall determine the reimbursement amount as provided in the enactment and add the
25 appropriate amount to the entitlement share distribution under this section. The total entitlement share
26 distributions in a fiscal year, including distributions made pursuant to this subsection, equal the local fiscal year
27 entitlement share pool. The ratio of each local government's distribution from the entitlement share pool must
28 be recomputed to determine each local government's ratio to be used in the subsequent year's distribution

1 determination under subsections (6)(b)(ii)(A), (6)(b)(iii)(A), and (6)(b)(iv)(A).

2 (b) For fiscal year 2018 and thereafter, the growth rate provided for in subsection (4) does not apply
3 to the portion of the entitlement share pool attributable to the reimbursement provided for in 15-1-123(2). The
4 department shall calculate the portion of the entitlement share pool attributable to the reimbursement in 15-1-
5 123(2), including the application of the growth rate in previous fiscal years, for counties, consolidated local
6 governments, and cities and, for fiscal year 2018 and thereafter, apply the growth rate for that portion of the
7 entitlement share pool as provided in 15-1-123(2).

8 (c) The growth amount resulting from the application of the growth rate in 15-1-123(2) must be
9 allocated as provided in subsections (6)(b)(ii)(A), (6)(b)(iii)(A), and (6)(b)(iv)(A) of this section.

10 (8) (a) Except for a tax increment financing district entitled to a reimbursement under 15-1-123(3), if a
11 tax increment financing district was not in existence during the fiscal year ending June 30, 2000, then the tax
12 increment financing district is not entitled to any funding. If a tax increment financing district referred to in
13 subsection (8)(b) terminates, then the funding for the district provided for in subsection (8)(b) terminates.

14 (b) One-half of the payments provided for in this subsection (8)(b) must be made by November 30
15 and the other half by May 31 of each year. Subject to subsection (8)(a), the entitlement share for tax increment
16 financing districts is as follows:

Flathead	Kalispell - District 2	\$4,638
Flathead	Kalispell - District 3	37,231
Flathead	Whitefish District	148,194
Gallatin	Bozeman - downtown	31,158
Missoula	Missoula - 1-1C	225,251
Missoula	Missoula - 4-1C	30,009

17 (9) The estimated fiscal year entitlement share pool and any subsequent entitlement share pool for
18 local governments do not include revenue received from tax increment financing districts.

19 (10) When there has been an underpayment of a local government's share of the entitlement share
20 pool, the department shall distribute the difference between the underpayment and the correct amount of the
21 entitlement share. When there has been an overpayment of a local government's entitlement share, the local
22 government shall remit the overpaid amount to the department.

1 (11) A local government may appeal the department's estimation of the base component, the
2 entitlement share growth rate, or a local government's allocation of the entitlement share pool, according to the
3 uniform dispute review procedure in 15-1-211.

4 (12) (a) Except as provided in 2-7-517, a payment required pursuant to this section may not be offset
5 by a debt owed to a state agency by a local government in accordance with Title 17, chapter 4, part 1.

6 (b) A payment required pursuant to this section must be withheld if a local government:

7 (i) fails to meet a deadline established in 2-7-503(1), 7-6-611(2), 7-6-4024(3), or 7-6-4036(1); and

8 (ii) fails to remit any amounts collected on behalf of the state as required by 15-1-504 or as otherwise
9 required by law within 45 days of the end of a month.

10 (c) A payment required pursuant to this section may be withheld if, for more than 90 days, a local
11 government fails to:

12 (i) file a financial report required by 15-1-504;

13 (ii) remit any amounts collected on behalf of the state as required by 15-1-504; or

14 (iii) remit any other amounts owed to the state or another taxing jurisdiction."
15

16 **Section 7.** Section 25-1-201, MCA, is amended to read:

17 **"25-1-201. Fees of clerk of district court.** (1) The clerk of district court shall collect the following
18 fees:

19 (a) at the commencement of each action or proceeding, except a petition for dissolution of marriage,
20 from the plaintiff or petitioner, ~~\$90~~ \$150; for filing a complaint in intervention, from the intervenor, ~~\$80~~ \$150; for
21 filing a petition for dissolution of marriage, \$170; for filing a petition for legal separation, \$150; and for filing a
22 petition for a contested amendment of a final parenting plan, \$120;

23 (b) from each defendant or respondent, on appearance, ~~\$60~~ \$75;

24 (c) on the entry of judgment, from the prevailing party, \$45;

25 (d) (i) except as provided in subsection (1)(d)(ii), for preparing copies of papers on file in the clerk's
26 office in all criminal and civil proceedings, \$1 a page for the first 10 pages of each file, for each request, and 50
27 cents for each additional page;

28 (ii) for a copy of a marriage license, \$5, and for a copy of a dissolution decree, \$10;

- 1 (iii) for providing copies of papers on file in the clerk's office by facsimile, e-mail, or other electronic
- 2 means in all criminal and civil proceedings, 25 cents per page;
- 3 (e) for each certificate, with seal, \$2;
- 4 (f) for oath and jurat, with seal, \$1;
- 5 (g) for a search of court records, \$2 for each name for each year searched, for a period of up to 7
- 6 years, and an additional \$1 for each name for any additional year searched;
- 7 (h) for filing and docketing a transcript of judgment or transcript of the docket from all other courts, the
- 8 fee for entry of judgment provided for in subsection (1)(c);
- 9 (i) for issuing an execution or order of sale on a foreclosure of a lien, \$5;
- 10 (j) for transmission of records or files or transfer of a case to another court, \$5;
- 11 (k) for filing and entering papers received by transfer from other courts, \$10;
- 12 (l) for issuing a marriage license, \$53;
- 13 (m) on the filing of an application for informal, formal, or supervised probate or for the appointment of
- 14 a personal representative or the filing of a petition for the appointment of a guardian or conservator, from the
- 15 applicant or petitioner, \$70, which includes the fee for filing a will for probate;
- 16 (n) on the filing of the items required in 72-4-303 by a domiciliary foreign personal representative of
- 17 the estate of a nonresident decedent, \$55;
- 18 (o) for filing a declaration of marriage without solemnization, \$53;
- 19 (p) for filing a motion for substitution of a judge, \$100;
- 20 (q) for filing a petition for adoption, \$75;
- 21 (r) for filing a pleading by facsimile or e-mail in all criminal and civil proceedings, 50 cents per page.
- 22 (2) Except as provided in subsections (3) and (5) through (7), fees collected by the clerk of district
- 23 court must be deposited in the state general fund as specified by the supreme court administrator.
- 24 (3) (a) Of the fee for filing a petition for dissolution of marriage, \$5 must be deposited in the children's
- 25 trust fund account established in 52-7-102, \$19 must be deposited in the civil legal assistance for indigent
- 26 victims of domestic violence account established in 3-2-714, and \$30 must be deposited in the partner and
- 27 family member assault intervention and treatment fund established in 40-15-110.
- 28 (b) Of the fee for filing a petition for legal separation, \$5 must be deposited in the children's trust fund

1 account established in 52-7-102 and \$30 must be deposited in the partner and family member assault
 2 intervention and treatment fund established in 40-15-110.

3 (4) If the moving party files a statement signed by the nonmoving party agreeing not to contest an
 4 amendment of a final parenting plan at the time the petition for amendment is filed, the clerk of district court
 5 may not collect from the moving party the fee for filing a petition for a contested amendment of a parenting plan
 6 under subsection (1)(a).

7 (5) Of the fee for filing an action or proceeding, except a petition for dissolution of marriage, \$9 must
 8 be deposited in the civil legal assistance for indigent victims of domestic violence account established in 3-2-
 9 714 and \$60 must be deposited in the state special revenue account established in [section 1].

10 (6) Of the fee for filing a complaint in intervention, \$70 must be deposited in the state special revenue
 11 account established in [section 1].

12 (7) Of the fee collected on appearance from each defendant or respondent, \$15 must be deposited in
 13 the state special revenue account established in [section 1].

14 ~~(6)~~(8) The fees collected under subsections (1)(d), (1)(g), (1)(j), and (1)(r) must be deposited in the
 15 county district court fund. If a district court fund does not exist, the fees must be deposited in the county general
 16 fund to be used for district court operations.

17 ~~(7)~~(9) Of the fee for issuance of a marriage license and the fee for filing a declaration of marriage
 18 without solemnization, \$13 must be deposited in the domestic violence intervention account established by 44-
 19 7-202 and \$10 must be deposited in the county district court fund. If a district court fund does not exist, the fees
 20 must be deposited in the county general fund to be used for district court operations.

21 ~~(8)~~(10) Any filing fees, fines, penalties, or awards collected by the district court or district court clerk not
 22 otherwise specifically allocated must be deposited in the state general fund."
 23

24 **Section 8.** Section 25-9-506, MCA, is amended to read:

25 **"25-9-506. Fees.** (1) Except as provided for in subsection (2), a person filing a foreign judgment shall
 26 pay to the clerk of court a fee of ~~\$60~~ \$122, of which \$62 must be deposited in the state special revenue account
 27 established in [section 1].

28 (2) Fees for docketing, transcription, or other enforcement proceedings must be as provided for

1 judgments of the district court.

2 (3) Fees collected by the clerk of district court not otherwise specially allocated must be forwarded to
3 the department of revenue for deposit in the state general fund."

4

5 **Section 9.** Section 37-61-421, MCA, is amended to read:

6 **"37-61-421. Attorney's or litigant's liability for excess costs.** (1) An attorney or party to any court
7 proceeding who, in the determination of the court, multiplies the proceedings in any case unreasonably and
8 vexatiously may be required by the court to satisfy personally the excess costs, expenses, and attorney fees
9 reasonably incurred because of such conduct.

10 (2) An attorney whose services in a court proceeding are funded by a grant awarded under [section 2]
11 and who is found by the court to have brought the action frivolously or vexatiously may be required by the court
12 to satisfy personally the costs, expenses, and attorney fees reasonably incurred because of such conduct."

13

14 **Section 10.** Section 44-7-202, MCA, is amended to read:

15 **"44-7-202. Domestic violence intervention account -- administration by board of crime control.**

16 (1) There is a domestic violence intervention account in the state special revenue fund in the state treasury.
17 There must be paid into this account the designated filing fees paid under ~~25-1-201(7)~~25-1-201(9) to the clerk
18 of the district court. The money deposited in the account must be used for services provided under 44-7-201.

19 (2) Funds deposited in the account may be expended by the Montana board of crime control, as
20 provided for in 2-15-2306, to fund services and activities under and payment of administrative costs of the
21 domestic violence intervention program provided for in 44-7-201."

22

23 NEW SECTION. **Section 11. Codification instruction.** [Sections 1 through 3] are intended to be
24 codified as an integral part of Title 3, chapter 2, part 7, and the provisions of Title 3, chapter 2, part 7, apply to
25 [sections 1 through 3].

26

27 NEW SECTION. **Section 12. Effective date.** [This act] is effective July 1, 2021.

28

