

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING FUNDING FOR HABITAT MONTANA;
5 REALLOCATING MARIJUANA TAX REVENUE FROM HABITAT MONTANA TO THE GENERAL FUND;
6 REQUIRING HUNTERS TO CONSENT BEFORE CONTRIBUTING LICENSE AND PERMIT FEES TOWARD
7 HABITAT MONTANA; AND AMENDING SECTIONS 16-12-111 AND 87-1-242, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 16-12-111, MCA, is amended to read:

12 **"16-12-111. (Effective October 1, 2021) Marijuana compensation special revenue account. (1)**

13 There is a dedicated marijuana compensation state special revenue account within the state special revenue
14 fund established in 17-2-102, to be administered by the department.

15 (2) Marijuana sales taxes collected under the provisions of part 4 of this chapter must, in accordance
16 with the provisions of 17-2-124, be deposited into the account along with any interest and income earned on the
17 account.

18 (3) Funds deposited into the account must be transferred in the following amounts to provide funding
19 as set out below:

20 (a) 4.125% of the funds to be deposited into the nongame wildlife account established in 87-5-121;

21 (b) 4.125% of the funds to be deposited into the state park account established in 23-1-105(1);

22 (c) 4.125% of the funds to be deposited into the trails and recreational facilities account established in
23 23-2-108;

24 ~~(d) 37.125% of the funds to be deposited to the credit of the department of fish, wildlife, and parks to~~
25 ~~be used solely as funding for wildlife habitat in the same manner as funding generated under 87-1-242(3) and~~
26 ~~used pursuant to 87-1-209;~~

27 ~~(e)(d)~~ 40.5%46.625% to the state general fund; and

28 ~~(f)(e)~~ the remainder in the subaccounts provided for in this subsection ~~(3)(f)~~ (3)(e). There are

1 subaccounts in the marijuana compensation special revenue account established by subsection (1). Funding
2 deposited into this account under subsection (2) is further deposited into subaccounts to be used only as
3 follows:

4 (i) 10% of the funds to be deposited into a subaccount to be administered by the department of public
5 health and human services to provide grants to existing agencies and not-for-profit organizations, whether
6 government or community-based, to increase access to evidence-based low-barrier drug addiction treatment,
7 prioritizing medically proven treatment and overdose prevention and reversal methods and public or private
8 treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose
9 prevention education, and to support job placement, housing, and counseling for those with substance use
10 disorders;

11 (ii) 10% of the funds to be deposited into a subaccount to be administered by the department of
12 commerce for distribution to the local government representing the locality where the retail sales occurred;

13 (iii) 10% of the funds to be deposited into a subaccount to be administered by the veterans' affairs
14 division of the department of military affairs to provide services and assistance for all Montana veterans and
15 surviving spouses and dependents; and

16 (iv) 10% of the funds to be deposited into a subaccount to be administered by the Montana department
17 of public health and human services to administer medicaid rate increases that provide for a wage increase to
18 health care workers who provide direct medicaid-funded home and community health services for elderly and
19 disabled persons.

20 (4) (a) Funds transferred from the accounts and subaccounts provided in subsection (3) may be used
21 only to increase revenue for the purposes specified and may not be used to supplant other sources of revenue
22 used for these purposes.

23 (b) Funds deposited into the account provided in subsection (1) may be used only to increase
24 revenue to each special revenue account or subaccount set forth in subsection (3) and may not be used to
25 supplant other sources of revenue for these purposes."
26

27 **Section 2.** Section 87-1-242, MCA, is amended to read:

28 **"87-1-242. (~~Bracketed language in subsection (3) effective October 1, 2024~~) Funding for wildlife**

1 **habitat.** (1) A person buying a license or permit listed in subsection (2) shall make a written election to
 2 contribute the portion specified in subsection (2) for the purposes listed in subsection (2). Funds not contributed
 3 pursuant to subsection (2) must be transferred to the general license account established in 87-1-601(1).

4 (2) The amount of money specified in this subsection from the sale of each hunting license or permit
 5 listed must be used exclusively by the commission to secure, develop, and maintain wildlife habitat, subject to
 6 appropriation by the legislature:

- 7 (a) Class B-10, nonresident combination, \$77;
- 8 (b) Nonresident antelope, \$20;
- 9 (c) Nonresident moose, \$20;
- 10 (d) Nonresident mountain goat, \$20;
- 11 (e) Nonresident mountain sheep, \$20;
- 12 (f) Class D-1, nonresident mountain lion, \$20;
- 13 (g) Nonresident black bear, \$20;
- 14 (h) Nonresident wild turkey, \$10;
- 15 (i) Class AAA, combination sports, \$7;
- 16 (j) Class B-11 nonresident deer combination, \$200.

17 ~~(2)(3)~~ Twenty percent of any increase in the fee for the Class B-7 license or any license or permit
 18 listed in subsection (1) must be allocated for use as provided in subsection (1).

19 ~~(3)(4)~~ Eighty percent of the money allocated by this section, ~~together with money from marijuana~~
 20 ~~taxes deposited under 16-12-111 and~~ together with the interest and income from the money, must be used to
 21 secure wildlife habitat pursuant to 87-1-209.

22 ~~(4)(5)~~ Twenty percent of the money allocated by this section must be used as follows:

- 23 (a) up to 50% a year may be used for development and maintenance of real property used for wildlife
 24 habitat; and
- 25 (b) the remainder and any money not allocated for development and maintenance under subsection
 26 ~~(4)(5)(a)~~ by the end of each odd-numbered fiscal year must be credited to the account created by 87-1-601(5)
 27 for use in the manner prescribed for the development and maintenance of real property used for wildlife
 28 habitat."

