

1 HOUSE BILL NO. 10
2 INTRODUCED BY M. HOPKINS
3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO FINANCING INFORMATION
6 TECHNOLOGY CAPITAL PROJECTS; APPROPRIATING MONEY FOR INFORMATION TECHNOLOGY
7 CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR MATTERS
8 RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL
9 FUND TO THE LONG-RANGE INFORMATION TECHNOLOGY PROGRAM ACCOUNT; PROVIDING FOR
10 THE DEVELOPMENT AND ACQUISITION OF NEW INFORMATION TECHNOLOGY SYSTEMS FOR
11 VARIOUS DEPARTMENTS AND THE MONTANA UNIVERSITY SYSTEM; MODIFYING CERTAIN MOTOR
12 VEHICLE FEES; PROVIDING FOR REPAYMENT OF FUNDS BY THE DEPARTMENT OF JUSTICE;
13 AMENDING SECTIONS 61-3-203, 61-3-204, 61-3-550, AND 61-6-158, MCA; AND PROVIDING AN
14 IMMEDIATE EFFECTIVE DATE."

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

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18 NEW SECTION. Section 1. Definitions. For the purposes of [this act], the following definitions apply:

- 19 (1) "Chief information officer" has the meaning provided in 2-17-506.
20 (2) "Information technology" has the meaning provided in 2-17-506.
21 (3) "Information technology capital project" means a group of interrelated information technology
22 activities that are planned and executed in a structured sequence to create a unique product or service.
23 (4) "LRITP" means the long-range information technology program account in the capital projects
24 fund type.

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26 NEW SECTION. Section 2. Appropriations and authorizations. (1) All business application
27 systems funded under this section must have a plan approved by the chief information officer for the design,

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NEW SECTION. Section 4. Department of justice information technology capital projects

appropriation. (1) Subject to [sections 7 and 8 AND 9], there is appropriated to the department of justice ~~\$50,511,000~~ \$45,215,100 from the LRITP for replacement of the MERLIN system in the department of justice.

(2) Before encumbering any funds appropriated in subsection (1), the department of justice shall submit a project and security plan to the chief information officer. The chief information officer shall promptly review the plan and, if necessary, make timely recommendations to the department of justice regarding implementation of the plan.

(3) The department of justice shall provide a quarterly update to the law and justice interim committee and the legislative finance committee on the implementation of projects funded under this section.

NEW SECTION. SECTION 5. MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA TECHNOLOGY

CAPITAL PROJECT APPROPRIATION. (1) THERE IS APPROPRIATED \$6,164,320 FROM THE LRITP TO THE MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA FOR THE CYBERMONTANA CYBERSECURITY INITIATIVE.

(2) BEFORE ENCUMBERING ANY FUNDS APPROPRIATED IN SUBSECTION (1), THE MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA SHALL SUBMIT A PROJECT AND SECURITY PLAN TO THE CHIEF INFORMATION OFFICER. THE CHIEF INFORMATION OFFICER SHALL PROMPTLY REVIEW THE PLAN, AND IF NECESSARY, MAKE TIMELY RECOMMENDATIONS TO THE MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA REGARDING IMPLEMENTATION OF THE PLAN.

(3) THE MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA SHALL PROVIDE A QUARTERLY UPDATE TO THE LEGISLATIVE FINANCE COMMITTEE ON THE IMPLEMENTATION OF PROJECTS FUNDED UNDER THIS SECTION.

Section 6. Section 61-3-203, MCA, is amended to read:

"61-3-203. Fee for original certificate of title -- disposition. (1) ~~Until June 30, 2028,~~ a A person applying for a certificate of title shall pay the department, its authorized agent, or a county treasurer a fee of:

(a) \$10 if the vehicle for which a certificate of title is sought is not a light vehicle or a truck or bus that weighs 1 ton or less; or

Amendment - 1st Reading/2nd House-blue - Requested by: Carl Glimm - (S) Finance and Claims

- 2023

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Drafter: Katy Callon, 406-444-4421

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1 (b) \$12 if the vehicle for which application is made is a light vehicle or a truck or bus that weighs 1
2 ton or less.

3 (2) The amount of \$5 of the fee imposed pursuant to subsection (1) must be forwarded to the
4 department for deposit in the motor vehicle information technology system account provided for in 61-3-550,
5 and the remaining amount must be deposited in the state general fund.

6 (3) For expedited certificates of title, which may be issued only by the Montana motor vehicle
7 division, the entirety of the fee imposed pursuant to subsection (1) must be deposited into the motor vehicle
8 information technology system account provided for in 61-3-550.

9 ~~(4) Beginning July 1, 2028, the fee imposed in subsection (1)(a) is \$5 and the fee imposed in~~
10 ~~subsection (1)(b) is \$7 and all fees paid pursuant to this section must be deposited in the state general fund."~~

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12 **Section 7.** Section 61-3-204, MCA, is amended to read:

13 **"61-3-204. Replacement certificate of title -- application.** (1) (a) If a certificate of title is lost, stolen,
14 destroyed, mutilated, or becomes illegible or if the owner wants to update personal information on the electronic
15 record of title or have a replacement certificate of title issued with updated information, the owner, as shown on
16 the electronic record of title, may apply for and request the department to issue a replacement certificate of title.
17 The application must include satisfactory evidence of the facts requiring the replacement certificate of title and
18 be accompanied by a fee of \$10.

19 (b) The amount of \$5 of the fee must be deposited in the state general fund in accordance with 15-
20 1-504, and the remaining \$5 must be deposited in the motor vehicle information technology system account
21 provided for in 61-3-550.

22 (c) Beginning July 1, 2026 ~~2038~~ 2037, the fee for a replacement certificate of title is \$5 and the
23 entire fee must be deposited in the state general fund.

24 (2) Each replacement certificate of title issued by the department must contain the following
25 statement: "This replacement voids any previously issued title."
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27 **Section 8.** Section 61-3-550, MCA, is amended to read:

Amendment - 1st Reading/2nd House-blue - Requested by: Carl Glimm - (S) Finance and Claims

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1 **"61-3-550. Motor vehicle information technology system account.** (1) There is a motor vehicle
2 information technology system account in the state special revenue fund provided for in 17-2-102.

3 (2) (a) ~~Until June 30, 2019, \$4 of the fee received by the department pursuant to 61-3-103 (8) for~~
4 ~~a security interest or other lien must be deposited in the account.~~

5 (b) ~~Until June 30, 2026~~ 2038, fees received by the department pursuant to 61-3-103(9) and \$5 of
6 each fee received under 61-3-203 or 61-3-204 for a certificate of title must be deposited in the account.

7 (3) The money in the motor vehicle information technology system account must be appropriated
8 by the legislature to the department of justice and must be used by the department for the purpose of:

9 (a) repaying any indebtedness or loan incurred for the creation of a new information technology
10 system for motor vehicles; or

11 (b) payment of costs directly incurred in the creation and support of the new motor vehicle
12 information technology system.

13 (4) (a) Funds in the motor vehicle information technology system account must be used to repay
14 the general fund for the motor vehicle information technology system.

15 (b) By June 30 of each fiscal year, the department of justice shall transfer \$2.5 million from the
16 account to the general fund. The repayment will continue through the fiscal year ending ~~June 30, 2038~~ June 30,
17 2037.

18 (c) For the fiscal year beginning July 1, 2024, through the fiscal year beginning July 1, 2033, the
19 department shall transfer an additional \$500,000 by June 30 of each fiscal year from the account to the general
20 fund."

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22 **Section 9.** Section 61-6-158, MCA, is amended to read:

23 **"61-6-158. Vehicle insurance verification and license plate operating account.** (1) There is a
24 vehicle insurance verification and license plate operating account in the state special revenue fund type as
25 provided in 17-2-102.

26 (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),
27 61-3-562(1)(a)(ii), or 61-3-701(5) or established and collected under 61-6-105 must be deposited in the

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1 account.

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

7 (4) For the fiscal year beginning July 1, 2024, through the fiscal year beginning July 1, 2033, the
8 department of justice shall transfer \$500,000 from the vehicle insurance verification and license plate operating
9 account to the general fund by June 30 of each fiscal year."

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11 NEW SECTION. Section 10. Transfer of funds. The state treasurer shall transfer \$147,575,008
12 ~~\$153,389,328~~ ~~\$148,093,428~~ from the general fund to the LRITP on an as-needed incremental basis no later
13 than June 30, 2025.

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15 NEW SECTION. Section 11. Severability. If a part of [this act] is invalid, all valid parts that are
16 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
17 the part remains in effect in all valid applications that are severable from the invalid applications.

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19 NEW SECTION. Section 12. Effective date. [This act] is effective on passage and approval.

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