

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 REPORTING REQUIREMENTS; PROVIDING FOR A  
9 TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE LONG-RANGE INFORMATION  
10 TECHNOLOGY PROGRAM ACCOUNT; PROVIDING FOR THE DEVELOPMENT AND ACQUISITION OF  
11 NEW INFORMATION TECHNOLOGY SYSTEMS FOR VARIOUS DEPARTMENTS AND THE MONTANA  
12 UNIVERSITY SYSTEM; ~~MODIFYING CERTAIN MOTOR VEHICLE FEES; PROVIDING FOR REPAYMENT~~  
13 ~~OF FUNDS BY THE DEPARTMENT OF JUSTICE; AMENDING SECTIONS 61-3-203, 61-3-204, 61-3-550,~~  
14 ~~AND 61-6-158, MCA~~; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17  
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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2 NEW SECTION. Section 4. Department of justice information technology capital projects

3 **appropriation.** (1) ~~Subject to [sections 7 and 8 AND 9], there~~ There is appropriated to the department of justice  
4 \$50,511,000 from the LRITP for replacement of the MERLIN system in the department of justice.

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

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

11 ~~(4) (a) The department of justice shall submit a project implementation plan to the judicial branch,~~  
12 ~~law enforcement, and justice budget committee and the long-range planning budget committee provided for in~~  
13 ~~5-12-501. This plan must include a project development and implementation timeline, milestones, and a~~  
14 ~~detailed project budget.~~

15 ~~(b) The department of justice shall present a quarterly update to the budget committees, including:~~

16 ~~(i) overall project status;~~

17 ~~(ii) project expenditures;~~

18 ~~(ii) progress towards milestones identified in the implementation plan;~~

19 ~~(iii) project risks and issues;~~

20 ~~(iv) project accomplishments; and~~

21 ~~(v) action items.~~

22

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

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

26 (2) BEFORE ENCUMBERING ANY FUNDS APPROPRIATED IN SUBSECTION (1), THE MONTANA UNIVERSITY  
27 SYSTEM/UNIVERSITY OF MONTANA SHALL SUBMIT A PROJECT AND SECURITY PLAN TO THE CHIEF INFORMATION OFFICER.

**Amendment - 1st Reading/2nd House-blue - Requested by: Ryan Lynch - (S) Finance and Claims**

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0010.002.005

1 THE CHIEF INFORMATION OFFICER SHALL PROMPTLY REVIEW THE PLAN, AND IF NECESSARY, MAKE TIMELY  
2 RECOMMENDATIONS TO THE MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA REGARDING IMPLEMENTATION OF  
3 THE PLAN.

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

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

8 **~~"61-3-203. Fee for original certificate of title -- disposition.~~** (1) ~~Until June 30, 2028, a A person~~  
9 ~~applying for a certificate of title shall pay the department, its authorized agent, or a county treasurer a fee of:~~

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

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

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

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

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

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

24 **~~"61-3-204. Replacement certificate of title -- application.~~** (1) ~~(a) If a certificate of title is lost, stolen,~~  
25 ~~destroyed, mutilated, or becomes illegible or if the owner wants to update personal information on the electronic~~  
26 ~~record of title or have a replacement certificate of title issued with updated information, the owner, as shown on~~  
27 ~~the electronic record of title, may apply for and request the department to issue a replacement certificate of title.~~

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1 ~~The application must include satisfactory evidence of the facts requiring the replacement certificate of title and~~  
2 ~~be accompanied by a fee of \$10.~~

3 ~~(b) — The amount of \$5 of the fee must be deposited in the state general fund in accordance with 15-~~  
4 ~~1-504, and the remaining \$5 must be deposited in the motor vehicle information technology system account~~  
5 ~~provided for in 61-3-550.~~

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

8 ~~(2) — Each replacement certificate of title issued by the department must contain the following~~  
9 ~~statement: "This replacement voids any previously issued title."~~

10  
11 **Section 8.** Section 61-3-550, MCA, is amended to read:

12 ~~"61-3-550. — Motor vehicle information technology system account. (1) There is a motor vehicle~~  
13 ~~information technology system account in the state special revenue fund provided for in 17-2-102.~~

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

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

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

20 ~~(a) — repaying any indebtedness or loan incurred for the creation of a new information technology~~  
21 ~~system for motor vehicles; or~~

22 ~~(b) — payment of costs directly incurred in the creation and support of the new motor vehicle~~  
23 ~~information technology system.~~

24 ~~(4) — (a) Funds in the motor vehicle information technology system account must be used to repay~~  
25 ~~the general fund for the motor vehicle information technology system.~~

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

**Amendment - 1st Reading/2nd House-blue - Requested by: Ryan Lynch - (S) Finance and Claims**

- 2023

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Drafter: Katy Callon, 406-444-4421

HB0010.002.005

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

4  
5 **Section 9.** Section 61-6-158, MCA, is amended to read:

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

9 ~~(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),~~  
10 ~~61-3-562(1)(a)(ii), or 61-3-701(5) or established and collected under 61-6-105 must be deposited in the~~  
11 ~~account.~~

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

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

20  
21 **NEW SECTION. Section 6. Transfer of funds.** The state treasurer shall transfer \$147,575,008  
22 \$153,389,328 from the general fund to the LRITP on an as-needed incremental basis no later than June 30,  
23 2025.

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25 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are  
26 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
27 the part remains in effect in all valid applications that are severable from the invalid applications.