

1 HOUSE BILL NO. 251

2 INTRODUCED BY L. JONES, S. VINTON, M. REGIER, R. KNUDSEN, J. SMALL, S. FITZPATRICK, D.

3 SALOMON, J. ELLSWORTH, K. BOGNER

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE FINANCE LAWS; CREATING THE DEBT AND  
6 LIABILITY FREE ACCOUNT; PROVIDING FOR A TRANSFER AND ALLOCATIONS OF INTEREST INTO  
7 THE DEBT AND LIABILITY FREE ACCOUNT; PROVIDING A TRANSFER TO THE STATEWIDE PUBLIC  
8 SAFETY COMMUNICATIONS SYSTEM ACCOUNT; PROVIDING FOR A STATUTORY APPROPRIATION;  
9 PROVIDING FOR AN EQUAL TRANSFER OF UNOBLIGATED FUNDS FROM THE DEBT AND LIABILITY  
10 FREE ACCOUNT TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT  
11 AND THE GENERAL FUND IN 2027; AMENDING SECTIONS 17-6-202, 17-7-502, AND 44-4-1607, MCA;  
12 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

13

14 WHEREAS, there is a benefit to the citizens of Montana to pay off debts and be debt free in 2023; and

15 WHEREAS, paying off debts and other financial liabilities of the State of Montana is a responsible use  
16 of one-time funds; and

17 WHEREAS, issuing and paying off public debt when prudent is and should remain a standard function  
18 of state government; and

19 WHEREAS, paying off debt now allows more capacity to responsibly pay for capital expenditures via  
20 financing in the future, when desired by the Executive and Legislature.

21

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

23

24 NEW SECTION. Section 1. Debt and liability free account -- rules for deposits and transfers --  
25 **purpose.** (1) There is an account in the state special revenue fund established by 17-2-102 known as the debt  
26 and liability free account.

27 (2) The purpose of the debt and liability free account is to:

28 (a) pay the principal, interest, premiums, and any costs or fees associated with redeeming

**Amendment - 1st Reading-white - Requested by: Llew Jones - (H) Appropriations**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0251.001.003

1 inclusion of 30-10-1004 terminates June 30, 2027; pursuant to sec. 5, Ch. 548, L. 2021, the inclusion of 50-1-  
2 115 terminates June 30, 2025; pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is  
3 effective July 1, 2027; and pursuant to sec. 15, Ch. 574, L. 2021, the inclusion of 46-32-108 terminates June  
4 30, 2023.)"

5

6 **Section 4.** Section 44-4-1607, MCA, is amended to read:

7 **"44-4-1607. Statewide public safety communications system account.** (1) There is an account in  
8 the state special revenue fund established in 17-2-102 to be known as the statewide public safety  
9 communications system account.

10 (2) There must be deposited in the account:

11 (a) money received from legislative allocations and general fund transfers;

12 (b) a transfer of money from a state or local agency for the purposes of this part;

13 (c) rates, charges, or fees collected by the department in accordance with 44-4-1606(3)(h);

14 (d) funds accepted in accordance with 44-4-1606(3)(i) and (3)(j); and

15 (e) a gift, donation, grant, legacy, bequest, or devise made for the purposes of this part.

16 (3) There is an account in the federal special revenue fund established in 17-2-102 to be known as  
17 the statewide public safety communications system account. There must be deposited in the account money  
18 received from the federal government for the purposes of this part.

19 (4) For each fiscal year beginning July 1, 2019, and ending June 30, ~~2029~~ 2023, there is  
20 transferred \$3.75 million from the state general fund to the state special revenue account provided for in this  
21 section.

22 (5) Funds in either account created in this section must be used by the department for the  
23 purposes of this part."

24

25 **NEW SECTION. Section 5. Transfer of funds.** (1) By June 30, 2023, the state treasurer shall  
26 transfer \$150 million from the general fund to the account provided for in [section 1].

27 (2) By June 30, 2023, the state treasurer shall transfer \$35 million from the general fund to the  
28 statewide public safety communications system account provided for in 44-4-1607.

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1 (3) By June 30, 2027, the state treasurer shall transfer any unobligated funds in the account  
2 established in [section1] as follows:

3 (a) 50% to the capital developments long-range building program account established in 17-7-209;

4 and

5 (b) 50% to the general fund.  
6

7 **NEW SECTION. Section 6. Codification instruction.** [Section 1] is intended to be codified as an  
8 integral part of Title 17, chapter 6, and the provisions of Title 17, chapter 6, apply to [section 1].  
9

10 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are  
11 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
12 the part remains in effect in all valid applications that are severable from the invalid applications.  
13

14 **COORDINATION SECTION. Section 8. Coordination instruction.** (1) If [this act] is passed and  
15 approved and does not contain a \$125 million transfer in [section 5(1)], and if any of the five bills identified in  
16 subsection (2) are not passed and approved, then the transfer amount in [section 5(1)] of [this act] is \$62.5  
17 million.

18 (2) The five bills are:

19 (a) House Bill No. 192;

20 (b) House Bill No. 212;

21 (c) House Bill No. 221;

22 (d) House Bill No. 222; and

23 (e) House Bill No. 267.  
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25 **NEW SECTION. Section 9. Effective date.** [This act] is effective on passage and approval.  
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27 **NEW SECTION. Section 10. Retroactive applicability.** [This act] applies retroactively, within the  
28 meaning of 1-2-109, to funds collected pursuant to 17-6-202(2) on or after July 1, 2022.