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HOUSE BILL NO. 816

INTRODUCED BY J. KASSMIER, S. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE DISTRIBUTION OF SURPLUS REVENUE; ~~PROVIDING FOR A SUPPLEMENTAL INCOME TAX REBATE;~~ PROVIDING FOR A SUPPLEMENTAL PROPERTY TAX REBATE; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

~~NEW SECTION. Section 1. Individual income tax rebate. (1) A qualified taxpayer that is entitled to an individual income tax rebate pursuant to [section 2 of House Bill No. 192] may increase the amount of the filing status limits in [section 2(1)(b) of House Bill No. 192] by the bonus amounts provided in subsection (2). In administering the income tax rebate, the department shall add the bonus to the filing status limits and update any rebate forms to reflect the additional amount.~~

~~(2) (a) Subject to subsection (2)(c), the amount of the bonus for a single taxpayer, a head of household, or a married taxpayer filing a separate return is the quotient of the appropriation in [section 3] divided by 350,000.~~

~~(b) Subject to subsection (2)(c), the amount of the bonus for a married couple filing a joint return is double the amount provided for in subsection (2)(a).~~

~~(c) The department shall round the quotients provided for in subsections (2)(a) and (2)(b) downward to the nearest \$1.~~

~~(3) The bonus provided for in this section is administered as part of the individual income tax rebate provided for in [House Bill No. 192]. Any income tax rebate received that is based on this section is exempt from taxation under this chapter.~~

NEW SECTION. Section 1. Property tax rebate. (1) A taxpayer that is entitled to a rebate of

**Amendment - 1st Reading/2nd House-blue - Requested by: Steve Fitzpatrick - (S) Local Government**

- 2023

68th Legislature 2023

Drafter: Toni Henneman, 406-444-3593

HB0816.001.008

1 Montana property taxes paid pursuant to [sections 1 through 3 of House Bill No. 222] may increase the dollar  
2 amount limits of the rebates in [section 2(1)(a) and (1)(b) of House Bill No. 222] by the bonus amounts provided  
3 in subsection (2). In administering the rebate, the department shall add the bonus to the dollar amount  
4 limitations for tax year 2022 and tax year 2023 and update any rebate forms to reflect the additional amount.

5 (2) (a) Subject to subsection (2)(d), the amount of the bonus for tax year 2022 is half of the amount  
6 provided for in subsection (2)(c).

7 (b) Subject to subsection (2)(c), the amount of the bonus for tax year 2023 is half of the amount  
8 provided for in subsection (2)(c).

9 (c) The preliminary bonus amount is the quotient of the appropriation in [section 42] divided by  
10 284,343.

11 (d) The department shall round the quotients provided for in subsections (2)(a) and (2)(b)  
12 downward to the nearest \$1.

13 (3) The bonus provided for in this section is administered as part of the property tax rebate  
14 provided for in [House Bill No. 222]. Any property tax rebate received that is based on this section is exempt  
15 from taxation under this chapter.

16  
17 ~~NEW SECTION. Section 3. Appropriation -- individual income tax rebate. (1) There is~~  
18 ~~appropriated \$100 million from the general fund to the department of revenue for the biennium beginning July 1,~~  
19 ~~2023.~~

20 ~~(2) The appropriation must be used to supplement individual income tax rebates as provided in~~  
21 ~~[section 1].~~

22  
23 NEW SECTION. Section 2. Appropriation -- property tax rebate. (1) There is appropriated \$100  
24 million from the general fund to the department of revenue for the biennium beginning July 1, 2023.

25 (2) The appropriation must be used to supplement property tax rebates as provided in [section 21].

26

27 NEW SECTION. Section 3. Codification instruction. (1) ~~[Section 1] is intended to be codified as an~~

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1 ~~integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [section 1].~~

2 ~~(2)~~ — [Section 21] is intended to be codified as an integral part of Title 15, chapter 1, and the  
3 provisions of Title 15, chapter 1, apply to [section 21].

4

5 ~~COORDINATION SECTION. Section 6. Coordination instruction. If House Bill No. 192 is not  
6 passed and approved, then [sections 1 and 3] are void.~~

7

8 COORDINATION SECTION. Section 4. Coordination instruction. If House Bill No. 222 is not  
9 passed and approved, then [sections 21 and 42] are void.

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11 COORDINATION SECTION. Section 5. Coordination instruction. If House Bill No. 819 is not  
12 passed and approved, then the amount appropriated in [section 2 of this act] must be reduced to \$30 million.

13

14 NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are  
15 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
16 the part remains in effect in all valid applications that are severable from the invalid applications.

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18 NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval.

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20 NEW SECTION. Section 8. Termination. ~~(1) [Section 1] terminates December 31, 2025.~~

21 ~~(2)~~ — [Section 21] terminates June 30, 2025.

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- END -