

1 HOUSE BILL NO. 817
2 INTRODUCED BY J. FITZPATRICK
3 BY REQUEST OF THE (H) APPROPRIATIONS
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR CAPITAL PROJECTS; PROVIDING FUNDING
6 FOR WORKFORCE HOUSING AND WORKFORCE INFRASTRUCTURE; PROVIDING APPROPRIATIONS;
7 PROVIDING DEFINITIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11 NEW SECTION. Section 1. Definitions. As used in [sections 1 through 5], unless the context clearly
12 indicates otherwise, the following definitions apply:

13 (1) "Authority only" means approval provided by the legislature to expend money that does not
14 require an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and
15 university funds.

16 (2) "Capital development" means capital projects provided for in 17-7-201(2).

17 (3) "Capital project" means the planning, design, renovation, construction, alteration, replacement,
18 furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 5].

19 (4) "LRBP capital development" or "LRBP CD" means the long-range building program capital
20 developments account in the capital projects fund type provided for in 17-7-209.

21 (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair
22 account in the capital projects fund type provided for in 17-7-221.

23 (6) "Major repair" means capital projects provided for in 17-7-201(7).

24 (7) "Other funding sources" means money other than LRBP money, state special revenue, or
25 federal special revenue that accrues to an agency under the provisions of law.
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27 NEW SECTION. Section 2. Appropriations and project prioritization. (1) (a) For the biennium

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

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0817.002.002

1 meaning of 18-2-102.

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3 **NEW SECTION. Section 7. Workforce housing appropriations -- eligible uses of funds.** There is
4 appropriated \$13 million from the general fund to the board of investments for the biennium beginning July 1,
5 2023. The purpose of the funds is to advance the construction of workforce housing of employees who work at
6 facilities that house state inmates or behavioral health patients.

7 (2) Funds must be distributed to those living in counties that have a population of less than 15,000
8 inhabitants that are located within a 30-mile radius of a facility that, on an annual average, houses at least 100
9 state inmates or behavioral health patients, and the facility is located in a county that has a population that does
10 not exceed 15,000 inhabitants. The distribution must be made pro rata based on the annual average facility
11 population for the fiscal year beginning July 1, 2021, and the number of workers residing in each eligible
12 county.

13 (3) Eligible uses of the funds include:

14 (a) buying down construction interest on employee housing; or

15 (b) providing funds to discount housing costs to employees who work in facilities that house, on an
16 annual average, at least 100 state inmates or behavioral health patients, and the facility is located in a county
17 that has a population that does not exceed 15,000 inhabitants.

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19 **NEW SECTION. Section 8. Workforce housing appropriations for infrastructure.** (1) There is
20 appropriated \$12 million from the general fund to the board of investments for the biennium beginning July 1,
21 2023. The purpose of the funds is to make loans or other financial arrangements for the construction of
22 infrastructure for workforce housing of employees who work at facilities that house state inmates or behavioral
23 health patients.

24 (2) The board of investments may make loans from the appropriations to an eligible government
25 unit as defined in 17-5-1604 or an applicant for residential development located within an area that meets the
26 criteria of subsection (4) to cover the costs of demolition or expanding or extending water, wastewater, storm
27 water, street, road, curb, gutter, and sidewalk infrastructure to serve new or rehabilitated residential

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1 development.

2 (3) For the costs of an infrastructure project to be eligible to be paid by the proceeds of a loan or
3 bonds or other securities of an eligible government unit as defined in 17-5-1604, the infrastructure project must
4 provide for residential development at a minimum gross density of 10 units for each acre.

5 (4) Funds must be loaned to those living in counties that have a population of less than 15,000
6 inhabitants that are located within a 30-mile radius of a facility that, on an annual average, houses at least 100
7 state inmates or behavioral health patients, and the facility is located in a county that has a population that does
8 not exceed 15,000 inhabitants.

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10 COORDINATION SECTION. Section 9. Coordination instruction. (1) If both House Bill No. 5 and
11 [this act] are passed and approved and any project in [this act] is also fully funded by an appropriation in House
12 Bill No. 5, then the appropriation for the project in House Bill No. 5 is void.

13 (2) If both House Bill No. 819 and [this act] are passed and approved and House Bill No. 819
14 contains at least \$25 million targeted to workforce housing, then [sections 7 and 8 of this act] are void.

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

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20 NEW SECTION. Section 11. Effective date. [This act] is effective on passage and approval.

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