

Amendment - 1st Reading-white - Requested by: Jen Gross - (S) Public Health, Welfare and Safety

- 2023

68th Legislature 2023

Drafter: Madelyn Krezowski,

SB0036.001.001

1 SENATE BILL NO. 36
2 INTRODUCED BY D. LENZ
3 BY REQUEST OF THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN STATUTORILY REQUIRED REPORTS
6 FOR THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; AMENDING SECTIONS 5-12-303,
7 AND 52-3-115, ~~AND 53-4-209~~, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10

11 **Section 1.** Section 5-12-303, MCA, is amended to read:

12 **"5-12-303. Fiscal analysis information from state agencies.** (1) The legislative fiscal analyst may
13 investigate and examine the costs and revenue of state government activities and may examine and obtain
14 copies of the records, books, and files of any state agency, including confidential records.

15 (2) When confidential records and information are obtained from a state agency, the legislative
16 fiscal analyst and staff must be subject to the same penalties for unauthorized disclosure of the confidential
17 records and information provided for under the laws administered by the state agency. The legislative fiscal
18 analyst shall develop policies to prevent the unauthorized disclosure of confidential records and information
19 obtained from state agencies and may not disclose confidential records or information to legislators.

20 (3) (a) The department of revenue shall make Montana individual income tax information available
21 by removing names, addresses, and social security numbers and substituting in their place a state accounting
22 record identifier number. Except for the purposes of complying with federal law, the department may not alter
23 the data in any other way.

24 (b) The department of revenue shall provide the name and address of a taxpayer on written
25 request of the legislative fiscal analyst when the values on the requested return, including estimated payments,
26 are considered necessary by the legislative fiscal analyst to properly analyze state revenue and are of a
27 sufficient magnitude to materially affect the analysis and when the identity of the taxpayer is necessary to

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2 **Section 2.** Section 52-3-115, MCA, is amended to read:

3 **"52-3-115. Older Montanans trust fund.** (1) There is an older Montanans trust fund within the
4 permanent fund type. The trust fund is subject to legislative transfer and appropriation as provided in this
5 section.

6 (2) The money in the fund may be used to create new, innovative services or to expand existing
7 services for the benefit of Montana residents 60 years of age or older that will enable those Montanans to live
8 an independent lifestyle in the least restrictive setting and will promote the dignity of and respect for those
9 Montanans. The interest and income produced by the trust fund and appropriated to the department by the
10 legislature is intended to increase services referred to in this subsection and not to supplant other sources of
11 revenue for those programs in the trended traditional level, as used in 53-6-1201, of appropriations for those
12 services.

13 (3) The department may accept contributions and gifts for the trust fund in money or other forms,
14 and when accepted, the contributions and gifts must be deposited in the trust fund.

15 (4) Interest and income earned on money in the trust fund must be retained within the fund.

16 (5) Ninety percent of the interest earned on the trust fund may be appropriated for the programs
17 specified in subsection (2).

18 ~~(6) The department shall provide to the legislature a biennial report of the expenditures of the money~~
19 ~~appropriated from the older Montanans trust fund as provided in 5-11-210."~~

20

21 **~~Section 3.~~** ~~Section 53-4-209, MCA, is amended to read:~~

22 **~~"53-4-209. Montana parents as scholars program -- department duties.~~** ~~(1) There is a Montana~~
23 ~~parents as scholars program administered by the department.~~

24 ~~(2) The department shall:~~

25 ~~(a) use state maintenance of effort funds or temporary assistance for needy families funds in a~~
26 ~~program to provide assistance to eligible households for the purpose of continuation of education leading~~
27 ~~toward a high school diploma, a high school equivalency diploma, vocational training, an associate's degree, or~~

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1 ~~a baccalaureate degree;~~

2 ~~(b) — allow an individual receiving temporary assistance for needy families to attend an approved~~
3 ~~educational program if the individual:~~

4 ~~(i) — meets the income and resource eligibility requirements for temporary assistance for needy~~
5 ~~families; and~~

6 ~~(ii) — qualifies as a full-time student pursuant to subsection (4); and~~

7 ~~(c) — limit approved educational programs to educational courses that are intended to promote~~
8 ~~economic self-sufficiency, not to exceed the baccalaureate level.~~

9 ~~(3) — The participants may apply for and may be eligible for child care assistance provided by the~~
10 ~~department to be paid from the temporary assistance for needy families block grant funds that are transferred to~~
11 ~~discretionary funding for child care.~~

12 ~~(4) — A program must require a participant to be a full-time student, which means that a participant:~~

13 ~~(a) — shall maintain enrollment in at least 12 credit hours each semester or 30 credit hours a year; or~~

14 ~~(b) — must be a full-time high school student, student studying for a high school equivalency diploma,~~
15 ~~or vocational training student as defined by the institution in which the participant is enrolled;~~

16 ~~(c) — shall maintain a 2.0 grade point average on a 4.0 grade point scale or be making satisfactory~~
17 ~~progress as defined by the institution in which the participant is enrolled; and~~

18 ~~(d) — may not be allowed to remain in the program after receiving a baccalaureate degree.~~

19 ~~(5) — (a) There may be no more than 25 participants in the program at any one time.~~

20 ~~(b) — Temporary assistance for needy families participants within the 12-month period allowed by~~
21 ~~federal law do not count in the total number of participants in the parents as scholars program. However, the~~
22 ~~parents as scholars program may be used to extend a participant's education beyond the 12-month federal~~
23 ~~period.~~

24 ~~(6) — The department shall provide annual reports to the legislative finance committee and the children,~~
25 ~~families, health, and human services interim committee in accordance with 5-11-210."~~

26

27 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.