1		S	ENATE BILL NO. 522			
2	INTRODUCED BY D. ZOLNIKOV					
3						
4	A BILL FOR A	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE DISTRIBUTION OF REVENUE FROM THE				
5	LODGING AN	LODGING AND FACILITIES USE TAX TO PROVIDE GRANTS TO LODGING ESTABLISHMENTS THAT				
6	PROVIDE VICTIMS OF DOMESTIC VIOLENCE OR HUMAN TRAFFICKING WITH SHORT-TERM LODGING					
7	CREATING AN EMERGENCY LODGING PROGRAM TO ASSIST VICTIMS OF DOMESTIC VIOLENCE OR					
8	HUMAN TRAFFICKING THAT IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND					
9	HUMAN SERVICES BOARD OF CRIME CONTROL; PROVIDING THAT A GRANT IS NOT SUBJECT TO					
10	STATE ACCOMMODATION TAXES; CREATING A STATE SPECIAL REVENUE ACCOUNT; PROVIDING					
11	DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 15-65-121, 15-68-101,					
12	AND 90-1-135, MCA; AND PROVIDING AN EFFECTIVE DATE, AND AN APPLICABILITY DATE, AND A					
13	TERMINATION DATE."					
14						
15	BE IT ENACTE	ED BY THE LEGISLATURE OF	THE STATE OF MON	ITANA:		
16						
17	NEW :	SECTION. Section 1. Emerge	ency lodging program	n for victims of domestic violence or		
18	human traffic	king grants rulemaking	definitions. (1) There	is an emergency lodging program for		
19	licensed estab	lishments located in the state to	o assist designated- cha	aritable organizations in providing short-		
20	term lodging ir	the state to individuals and fan	nilies that are victims o	f domestic violence or human trafficking.		
21	(2)	(a) Subject to the provisions c	of this section, participa	ating establishments may submit a grant		
22	application to t	he- department <u>board of crime</u> c	<u>control</u> for providing em	nergency lodging to an individual or family		
23	who is in imme	diate need of shelter based on	being a victim of dome	estic violence or human trafficking.		
24	(b)	In order to be eligible for the g	grant, the individual or	family must be referred to the		
25	establishment	by a designated- charitable orga	anization.			
26	(3)	Grant funds for the program a	are provided from fundi	ng in the emergency lodging for victims of		
27	domestic viole	nce or human trafficking state s	pecial revenue accoun	t provided for in [section 2]. The grant:		
28	(a)	is equal to the lesser of the av	verage daily rate or the	e state rate for each night lodging was		
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Division

Amen - 2023	dment	- 1st	Reading-white - Requested by: Daniel Zolnikov - (S) Taxation	n
	gislature	2023	Drafter: Jaret Coles, 406-444-4022	SB0522.001.001
1	provideo	l at no	cost to the individual or the referring organization;	
2		(b)	is limited to a maximum of 5 nights' lodging for each individual or family for e	each calendar year;
3		(c)	may be claimed only for lodging provided in the state; and	
4		(d)	is exempt from the lodging and facility use tax imposed by 15-65-111 or the	sales tax and use
5	tax on a	ccomr	nodations imposed by 15-68-102.	
6		(4)	Participating establishments may offer lodging based on availability of room	S.
7		(5)	The department board of crime control shall maintain a registry of designate	ed -charitable
8	organiza	ations	and shall provide a list of approved organizations to establishments on reques	t. The department
9	board of	crime	e control shall seek comment from appropriate statewide nonprofit organizatior	ns when developing
10	and upd	ating t	the registry.	
11		(6)	The grants provided in this section are subject to available funding and are	not guaranteed.
12	The grar	nt doe	s not apply to the costs of providing lodging to an individual who is displaced b	oy a major disaster
13	declared	l by th	e president under 42 U.S.C. 5170 or 5191 and who receives financial assistar	nce for temporary
14	housing	under	42 U.S.C. 5174.	
15		(7)	The department board of crime control may adopt rules, prepare forms, and	maintain records
16	that are	neces	sary to implement and administer this section.	
17		(8)	As used in this section, the following definitions apply:	
18		(a)	(i) "Average daily rate" means the total amount of lodging receipts received	by the
19	establish	nment	during the night of the emergency stay without regard to local and state taxes	received divided
20	by the n	umber	of rooms the establishment received compensation for during the night of the	emergency stay.
21		(ii)	The term does not include grant money received pursuant to this section.	
22		(b)	"Designated charitable organization" has the meaning provided in 50-51-114	4 <u>means a</u>
23	<u>charitab</u>	le orga	anization or government entity approved by the board of crime control to make	referrals for
24	emerger	ncy loo	lging.	
25		(c)	"Establishment" means a person or entity that makes sales of accommodati	ons as defined in
26	15-68-10	01.		
27		(d)	"State rate" means the rate the state pays for state employees in travel state	us that is adopted
28	by the d	epartn	nent of administration.	



1	
2	NEW SECTION. Section 2. Emergency lodging for victims of domestic violence or human
3	trafficking account. (1) There is an emergency lodging for victims of domestic violence or human trafficking
4	account in the state special revenue fund. The account is administered by the department board of crime
5	<u>control</u> .
6	(2) The revenue allocated to the account as provided in 15-65-121(2)(f) must be deposited in the
7	account and distributed as provided in [section 1].
8	(3) Money in the account is subject to legislative appropriation and must be used to provide grants
9	to licensed establishments that provide short-term lodging in the state to individuals and families that are
10	victims of domestic violence or human trafficking pursuant to [section 1].
11	
12	Section 3. Section 15-65-121, MCA, is amended to read:
13	"15-65-121. (Temporary) Distribution of tax proceeds. (1) The proceeds of the tax imposed by 15-
14	65-111 must, in accordance with the provisions of 17-2-124, be deposited in an account in the state special
15	revenue fund to the credit of the department. The department may spend from that account in accordance with
16	an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing
17	the proceeds of the tax. Before allocating the balance of the tax proceeds in accordance with the provisions of
18	17-2-124 and as provided in subsections (2)(a) through (2)(i) (2)(j) of this section, the department shall
19	determine the expenditures by state agencies for in-state lodging for each reporting period and deduct 4% of
20	that amount from the tax proceeds received each reporting period. The department shall distribute the portion
21	of the 4% that was paid with federal funds to the agency that made the in-state lodging expenditure and deposit
22	30% of the amount deducted less the portion paid with federal funds in the state general fund.
23	(2) The balance of the tax proceeds received each reporting period and not deducted pursuant to
24	the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with
25	federal funds, or deposited in the heritage preservation and development account must be transferred to an
26	account in the state special revenue fund to the credit of the department of commerce for tourism promotion
27	and promotion of the state as a location for the production of motion pictures and television commercials, to the
28	emergency lodging for victims of domestic violence or human trafficking account, to the Montana historical



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	1	(4)	Money in the accoun	ts that is not expended for the purposes ic	dentified in subsection (2) or (3)			
	2 may be used for other purposes that the commission considers prudent or necessary.							
	3	(5)	Interest and income earned on the money in the accounts must be deposited in the accounts					
	4	for the commis	ssion's use."					
	5							
	6	NEW S	SECTION. Section 6.	Codification instruction. [Sections 1 ar	nd 2] are intended to be codified			
	7	as an integral	part of Title <mark>50<u>44</u>, cha</mark>	pter <mark>51_7</mark> , part 1, and the provisions of Title	e <u>50_44</u> , chapter <u>51_7</u> , part 1,			
	8	apply to [section	ons 1 and 2].					
	9							
	10	<u>NEW </u>	SECTION. Section 7.	Effective date. [This act] is effective July	y 1, 2023.			
	11							
	12	NEW S	SECTION. Section 8.	Applicability. [This act] applies to sales	of accommodations or			
	13	campgrounds	that occur on or after [t	he effective date of this act] and to the use	e of accommodations or			
	14	campgrounds	on or after [the effective	e date of this act], even if the sale occurre	d before [the effective date of			
	15	this act].						
	16							
	17	NEW S	SECTION. Section 9.	Termination. [Sections 1 through 5] term	ninate June 30, 2027.			
	18			- END -				

