

**Requested by the
Economic Affairs
Interim Committee**

- HB 19** Revises definition of “high-poverty county” for Big Sky Economic Development from static 14% rate to one that adjusts based on U.S. Bureau of the Census calculation.
- HB 35** Revises alcohol laws regarding auctions and quota areas, fine-tuning SB 5 passed in the 2017 Special Session.
- HB 59** Repeal the Rail Service Competition Council.

**Legislation tied to EAIC Studies
in 2017-2018 Interim**

State Fund Study

- HB 214** Allows Dept. of Administration to insure state for workers’ compensation under Plan No. 2 (private insurers) or Plan No. 3 (State Fund). Also removed requirements related to State Fund participating in state’s information technology and procurement processes. (Tabled)
- SB 234** Allows Dept. of Administration to insure state under plans 1 or 2 or 3 (2nd reading not concurred)

Barriers to Employment in High-Poverty Areas

- HB 19** Revises definition of “high-poverty county” for Big Sky Economic Development from static 14% rate to one that adjusts based on U.S. Bureau of the Census calculation.

Emergency Care Providers/Veteran Component

- SB 38** Allows emergency care providers to offer community health care. (Requested by Local Government Interim Committee but had components of the EAIC study on emergency care.)

Requested by the State Auditor _____

- HB 62** Amends nonresident auto insurance requirements
- HB 64** Revises life and health guaranty association laws. Includes health service corporations and health maintenance organizations as members of the guaranty association. Incorporates model act from the National Association of Insurance Commissioners. Revises an assessment for certain long-term care insurance.
- HB 65** Revises laws related to service of process with the insurance commissioner. Removes the commissioner from service of process unless no registered agent is provided and certain conditions are met. Separates service of process requirements for domestic insurers and for foreign or alien insurers.
- HB 66** Revises or repeals insurance laws relating to the State Auditor, including removal of most references to benevolent societies, which by existing law no longer can be formed. Also removes references to charitable annuities, over which the State Auditor has no authority. Removes a reference in health insurance statutes to alcohol and narcotics, which is preempted by federal law. Removes other references that no longer serve a purpose.
- HB 74** Revises laws related to restitution for insurance consumers (Vetoed by Governor)
- HB 75** Clarifies the State Auditor's authority re market conduct, other exams (Tabled)
- HB 85** Revises laws relating to insurance entity organizational filings, allows insurance commissioner to provide in cases of dissolution of an authorized insurer a certificate verifying that taxes have been paid, and revises terms for articles of incorporation to coordinate with secretary of state business filings. Clarifies incorporation terms for farm mutual insurers and organizational review for captive insurers.
- HB 90** Generally revises securities regulations.
- HB 91** Revises laws related to independent review organizations, including specifying fees for original applications and for renewals. Allows the commissioner to terminate listing of an independent review organization that does not fulfill reporting requirements. Removes language related to rotating use of independent review organizations.
- HB 92** Generally revises insurance laws and laws affecting the insurance commissioner's office.
- SB 39** Revises surplus lines insurance requirements (See under Insurance for details)
- SB 54** Revises laws governing multiple employer welfare arrangements (Vetoed by Governor)
- SB 55** Generally revises captive insurance laws. Recognizes that some captive insurers can be limited liability companies. Eliminates and revises certain filing requirements for captives. Allows use of an irrevocable letter of credit issued in another state for capital and surplus requirements. Revises requirement for one in state manager for a captive risk retention group formed as a limited liability company. Addresses merger terms for various captives.
- SB 71** Regulates health insurers' administration of pharmacy benefits for consumers (Vetoed by Governor-Override Poll closes 6/14)

Requested by the Department of Agriculture _____

- HB 50** Provides civil penalty for violations of agricultural commodity laws and administrative penalties for unlicensed warehouse operators or commodity dealers. Allows contested case proceedings for administrative penalties.
- HB 51** Repeals the Montana-certified natural beef cattle marketing program
- HB 63** Removes a sunset date to retain a requirement for proof of financial responsibility for pesticide applicators (See Agriculture)
- HB 76** Expands alternate dispute resolution services of the Department of Agriculture (Tabled)
- HB 77** Allows Department of Agriculture to handle donations for farm, ranch disasters (Tabled)
- HB 102** Revises agricultural laws related to civil penalties and assessments. (See Agriculture)
- SB 73** Revises agricultural commodity licensing laws.

Requested by the Department of Commerce _____

- HB 52** Revises funding for various economic development programs. (See economic development)
- HB 53** Revises Big Sky Economic Development Trust Fund program (Tabled)

Requested by the Department of Labor and Industry _____

- HB 67** Revises unemployment insurance benefits to make eligibility consistent for members of the military at 180 days.
- HB 105** Revises process for out-of-state licensure for professional licensing boards by requiring board to issue licenses if an out-of-state applicant's license in another state meets equivalent requirements.
- SB 74** Revises authorization language on fingerprinting under certain licensing, UI laws (Tabled)
- SB 77** Implements audit recommendations for certain licensing boards, voc rehab, UI (See under Labor)
- SB 78** Requires workers' comp insurers to provide notice to worker of claim closure (failed H 3rd reading)

Requested by Department of Administration's Banking and Financial Services Division _____

- HB 107** Revises mortgage laws on disclosures, surety bonds, and other requirements.
- HB 108** Clarifies reporting requirements for escrow businesses.
- SB 58** Revises the Montana Bank Act. (See under Financial Institutions heading)

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Agriculture (For Livestock, see Livestock) -----

- HB 24** Revises irrigation cost deduction for irrigated property to a set amount of \$50 an acre rather than using a combination of labor and energy costs.
- HB 50** Provides civil penalty for violations of agricultural commodity laws and administrative penalties for unlicensed warehouse operators or commodity dealers. Allows contested case proceedings for administrative penalties.
- HB 58** Revises the duties of the Drought and Water Supply Advisory Committee, to include communications with and monitoring of national, local, state, tribal, and federal partners. Also includes assessment of the cumulative water supply status and notification of appropriate authorities of drought potential and possible impacts.
- HB 63** Removes a sunset date to retain a requirement for proof of financial responsibility for pesticide applicators.
- HB 102** Revises agricultural laws related to civil penalties and assessments. Creates civil penalties for violations of agricultural marketing and transportation laws. Creates a civil penalty for violations of wheat and barley laws. Revises the pulse crop commodity assessment. Provides a civil penalty for violations of pulse crop laws.
- HB 124** Authorizes county commissioners to lift agricultural covenants in limited situations.
- HB 142** Revises county weed laws. Provides for an integrated weed management program.
- HB 151** Doubles the maximum annual assessment on wheat up to 40 mills a bushel and barley up to 60 mills a hundredweight.
- HB 221** Revises pesticide applicator laws. Provides for online recertification. Requires report to the Economic Affairs Interim Committee by Sept. 1, 2020, on recertification requirements and the online training program.
- HB 389** Exempts certain implements or vehicles transporting hay or straw or both for less than 25 miles from height requirements, if overhead obstacles not expected to be encountered.
- HB 431** Creates farmer loan assistance program. (See Economic Development)
- HB 443** Revises requirements for hobbyist apiaries. Limits from July 1, 2019, to June 30, 2021, the amount of registration fees for listing an annual hobbyist apiary site.
- HB 586** Revises laws related to state labs. Exempts from a 2/3 vote of each house of the Legislature and inclusion in the long-range building program a contract with an option to purchase a building for collocated lab space related to facilities that conduct animal testing for pathogens that could affect human health. Provides for an advisory committee to develop lease terms.
- HB 607** Allows for the manufacture and sale of pet treats. Exempts from licensure and certain labeling requirements the manufacture of pet treats in this state if total annual sales are \$25,000 or less. Provides for registration and registration fees for pet treats.

- HJ 40** Provides an interim study of weather modification and its uses.
- SB 69** Revises agricultural classification laws, including provisional 5-year agricultural classification for certain orchards, vineyards, and Christmas tree farms. Provides for submission for regular agricultural classification.
- SB 73** Revises agricultural commodity licensing laws.
- SB 91** Revises weight limit laws for fertilizer.
- SB 116** Revises irrigation district election laws
- SB 137** Revises laws related to agricultural use of special fuel.
- SB 177** Revises Montana hemp laws.
- SB 178** Exempts hemp processing equipment from taxation.
- SB 320** Clarifies laws regarding cost of care for animals seized.
- SJ 16** Resolution urging federal country of origin labeling legislation

Alcohol/Liquor/Tobacco -----

- HB 35** Revises alcohol laws regarding auctions and quota areas.
- HB 84** Revises taxation and reporting laws for wine and hard cider. Clarifies that tax on sacramental wine and table wine as well as hard cider is imposed for direct shipments, whether to consumers or licensed retailers (for wine) or licensed retailers (for hard cider). Differentiates payment schedule by production of 1,000 liters or less and more than 1,000 liters. Requires electronic filing and payments monthly for larger producers and annually for smaller producers.
- HB 413** Prohibits use of vapor products or alternative nicotine products on public school property, except for educational demonstrations sanctioned by a school administrator or faculty member. Excludes from the prohibition a smoking cessation product used by an employee. Effective passage and approval.
- HB 481** Exempts from the Montana Clean Indoor Air Act a bona fide private social club that is not a place of work that does not allow people under 21 years of age to enter, is not located in a building used by a place of work or by the public, and complies with state codes related to indoor ventilation and outdoor airflow rates. (Vetoed)
- HB 613** Provides a limited all-beverages license for continuing care retirement communities that is exempt from the quota system. The license limits serving hours, requires server and sales training, and limits purchase to residents of the continuing care retirement community or their guests. Sales are not allowed for off-premises consumption. The license application fee is \$500, as is the annual renewal fee.
- HB 727** Revises alcoholic beverage and gambling laws related to approval of certain alcoholic beverage licenses without a physical premises, with the license required to be put in nonuse status and

the licensee required to apply for a premises within 6 months and gain approval in 1 year. Also recognizes the use of concession agreements in which an unlicensed entity may piggyback to serve alcoholic beverages on a licensee's license. Removes need for a conditional approval letter. Also allows approval of a gambling operator license prior to getting premises approved.

- SB 119** Allows access control systems for alcohol and gambling licensees. Sets notification requirements for starting and ending use of an access control system. Requires immediate access for regulatory or law enforcement purposes.
- SB 182** Revises definition of microdistillery to allow production up to 200,000 proof gallons, up from 25,000 gallons.
- SB 358** Revises resort area alcoholic beverage licensure laws by creating a new approach to resort area determination and new license determinations. For resort not in a quota area and less than 1,000 contiguous acres, the first license is tied to 100 accommodation units, with an additional license for each additional 50 accommodation units if a recreational facility has been completed. A resort with at least 1,000 contiguous acres and actual valuation of not less than \$30 million may receive up to 10 resort retail all-beverages licenses regardless of accommodation units. Limits set on transfers. Pre-existing applications for resort area designations are not subject to new application requirements, may receive one, grandfathered license for \$20,000 but must meet accommodation requirements and license fees for additional licenses.

Corporations, Partnerships, etc. – laws affecting businesses -----

- HB 108** Revises the regulation of escrow businesses, including the review by a certified public accountant of a licensee's financial statement. Removes requirement for certified mail and allows sending by common courier with tracking capability.
- HB 160** Revises the Montana Self-Storage Facilities Act. Expands the definition of "emergency" to any suspected use of a premises for residential or unlawful purposes. Provides terms for contacting renter. Expands reasons for denying access to a renter. Lets purchaser buying goods put up for sale to absolve lien have lawful sale even if operator selling the goods is not in compliance with statutes.
- HB 370** Revises laws related to notarial officers and notarial acts. Allows electronic notarization systems. Generally updates options for remote notarization. Provides for 10-year retention of the notary public's journal and, upon revocation of a notary's commission and requires transmission of the journal and related audio-visual recordings to a repository approved by the secretary of state. Establishes continuing education requirements. Adds to actions for which a fee may be charged. Expands identity verification and fraud prevention measures.
- HB 450** Revises motor vehicle laws and dealer license requirements. (See Transportation)
- HB 481** Revises the Montana Clean Indoor Air Act by declaring private social clubs to not be a place of work. (Vetoed by Governor)

- HB 617** Revises franchise laws, particularly automobile franchise laws. Provides circumstances in which a manufacturer can add a franchisee in a community. Addresses protected dealer data, authorized integrators of dealer data, and dealer data vendors. Adds provisions for payment of warranty labor and for parts and supplies. Revises repurchase terms for inventory when dealership or distribution contract is canceled. Allows a retiring franchisee to designate a family member successor who meets certain qualifications and requires good cause for not honoring the succession. Provides procedures related to succession.
- SB 325** Replaces previous statutes regarding corporate formation with new statutes based on the American Bar Association’s 2016 revision of the model Business Corporation Act. Allows for electronic filing of documents with the Secretary of State’s Office. Allows (for the following) a vote by an absolute majority rather than a 2/3 vote of shareholders, unless revised by the articles of incorporation: a merger or a share exchange, dissolution, and disposition of assets. Adopts new procedures for changing a home state or entity type. Allows mergers and share exchanges between corporations and other entity types, such as a limited liability company.

Economic Development -----

- HB 19** Revises definition of “high-poverty” county for Big Sky Economic Development grants to U.S. Census definition.
- HB 52** Revises funding for various economic development programs and repeals activities related to the Board of Research and Commercialization Technology.
- HB 428** Allows Board of Investments to extend infrastructure loan programs and the Intercap Loan Program to Indian tribal governments for any public or governmental purpose.
- HB 431** Creates a Montana farmer educational loan repayment assistance program through the Montana Growth Through Agriculture Act in conjunction with Montana State University Cooperative Extension Service. Sets criteria for loan assistance and distribution of funding. Limits available biennial funding to \$100,000 for loan assistance. Sunsets June 30, 2029.
- HB 523** Revises trade and promotion activities carried out by the Department of Commerce. Specifies promotion activities allowed regionally, nationally, and globally. Directs the Department of Commerce to work with other state agencies on promotion and marketing activities.
- HB 558** Eliminates the Economic Development Advisory Council, which was attached to the Department of Commerce.
- HB 631** Creates a pilot program for public-private partnerships to increase skills training in targeted industries and job-readiness assistance for target populations. Provides an appropriation of \$45,000 for the biennium to be used for grants under the Montana Employment Advancement Right Now Program Act.
- HB 632** Requires a decennial report on the economic contributions and impacts of Indian reservations to Montana, starting in 2020. Assigns task to the Bureau of Business and Economic Research at the University of Montana. Provides an appropriation.

- SB 266** Creates an employer job growth incentive tax credit for qualifying jobs to promote new business and economic activity. Proposed carry forward for the tax credit, with the Department of Labor and Industry working with the Department of Revenue to verify number of net new employees. Tax credits to be available for calendar year 2019 through calendar year 2025. (Vetoed)
- SB 321** Revises laws related to targeted economic development districts eligible for tax increment financing. Includes the cost of issuing bonds or payment of premium or interest on bonds as eligible expenditures.

Financial Institutions/Trusts -----

- HB 107** Revises Montana Mortgage Act relating to disclosures, surety bonds, and other requirements. Adds capital requirements for mortgage servicers and net worth requirements for mortgage lenders. Revises designated manager and branch office requirements. Allows service by common carrier with tracking capability. Provides penalties and restitution in relation to service providers. Authorizes investigation of service providers and information sharing with licensees. Amends mortgage servicer costs and fee schedule filing requirements.
- HB 108** Clarifies reporting requirements for escrow businesses. Allows review by independent public accountant every odd-numbered year rather than a certified financial statement. Allows service by common carrier with tracking capability.
- HB 162** Revises banking laws to allow the Department of Administration to furnish examination reports to a federal home loan bank and a federal reserve bank. Allows examination reports for banks and credit unions to be given in a more timely way to a federal reserve bank or a federal home loan bank.
- HB 163** Allows certificates of deposit fully insured by the federal deposit insurance corporation to serve as a type of security used to guarantee public fund deposits.
- HB 320** Revises laws related to tax-advantaged savings plans, allowing \$100,000 of assets and earnings to be exempt from creditor claims. Includes qualified tuition program accounts held by a Montana resident.
- HB 584** Allows cryptocurrency transactions by defining and exempting from securities regulation the use of a utility token for consumptive purposes. Provides parameters for utility token uses. Sunset date set for Sept. 30, 2023.
- HB 694** Revises fees for broker-dealers, investment advisers, and federal covered advisers to \$400 from \$200 for both the original and renewal applications. Doubles the current \$50 registration for an out-of-state salesperson or investment adviser but maintains the \$50 registration, renewal, and transfer costs for in-state sales persons or investment adviser representatives.
- HB 731** Revises credit union laws to provide penalties for directors and others in position of responsibility for false statements, fraud, or other acts of deception. Also provides for removal of directors, officers, or employees for certain actions. States that if losses accrue because of

incompetence, negligence, dishonesty, or recklessness of a director, officer, or employee and the supervisory committee failed to remove that official, then the department’s written order requiring removal is conclusive evidence of negligence if an action is brought against the credit union board.

- SB 58** Revises the Montana Bank Act. Defines “regional banking organization”, “loan production office”, and “service provider” and provides regulations regarding each. Specifies terms for acquiring control or acquisition over a bank and what happens if the department disapproves of the acquisition or change in control. Revises how student financial institutions are formed and operated. Revises duties of the State Banking Board. Allows the Department of Administration to accept examinations of a bank and other entities made by a federal agency or insuring agency of the United States and to conduct joint examination and enforcement. Revises scope of conflicts of interest provisions for state financial institutions staff. Revises terms for dividends, bylaws, recordkeeping, and the amount of deposits controlled by a merged bank. Revises terms for branch banks, including closure notifications. Revises terms related to capital stock of a bank. Revises enforcement terms for removal of key bank officers.

- SB 311** Provides protections to covered financial institutions that report financial exploitation of older persons or persons with a developmental disability. Allows a delay in transactions in certain circumstances. Provides immunity from criminal, civil, or administrative liability for not taking action if financial exploitation suspected. Similar immunity provided if actions taken, unless the actions were done in bad faith and caused pecuniary loss to the older person or person with a developmental disability. Effective Oct. 1, 2019.

Gambling -----

- HB 368** Allows dice games among players if the house does not have a financial interest. Under the bill, the dice game known as cee-lo, four-five-six, or three-dice game may be played in a licensed gambling establishment in either banked games or nonbanked games. Does not allow the establishment in which the game is played to have a financial interest or extend credit to any of the players.

- HB 579** *Revises laws related to gambling and player information. Clarifies confidentiality and use of data gathered in an automated accounting and reporting system. (Vetoed by Governor)*

- HB 725** Revises lottery laws by creating a sports wagering option in addition to lottery sales overseen by the newly named State Lottery and Sports Wagering Commission. Limits sports wagering option to licensees at locations licensed as a gambling operator under Title 23, chapter 5. Also imposes other limits on who can be licensed. Allows limited use of debit cards, along with cash or checks. Extends lottery penalties to sports wagering covered by the lottery. Includes distribution, after prize payouts and expenses and once revenue exceeds a general fund cap, to a Montana STEM scholarship program.

- HB 727** Generally revise alcohol and gaming licensing laws. (See above under Alcohol)

- SB 1** Exempts the Montana Lottery’s description of game parameters from Montana’s rulemaking process.
- SB 25** Generally revises gambling laws; allows heads-or-tails game by nonprofit organizations at licensed premises. Revises definition and regulations regarding operation of an antique gambling device (one manufactured prior to 1994 or one that is at least 30 years old). Clarifies that a gambling operator license is required to run a sports pool board; allows uses for charity.
- SB 119** Allows access control systems for alcohol and gambling licensees. Sets notification requirements for starting and ending use of an access control system. Requires immediate access for regulatory or law enforcement purposes.
- SB 183** Recognizes the Board of Horseracing’s authority to conduct public hearings and rulemaking aimed at developing a proposal for historical horseracing and to develop legislation for presentation first to the Economic Affairs Interim Committee and then to the 2021 Legislature.
- SB 330** *Revises gambling laws to allow sports betting. Removes sports betting from illegal gambling definition and creates new guidelines and rulemaking for the Department of Justice to administer sports betting and regulate platform operators and sportsbook operators. Provides for licensing associated gambling businesses. Requires sports betting to take place in licensed locations (gambling and appropriate alcoholic beverage licenses). (Vetoed by Governor – Override Poll closes 6/10)*

Housing -----

- HB 16** Provides funding for low-income and moderate-income housing loans with money from the permanent coal severance tax trust fund.
- SB 269** Establishes a registration program for home inspectors within the Department of Labor and Industry, running parallel to the contractor registration program. Sets fees and minimum requirements. Provides for listing registered home inspectors on the department website.

Insurance (includes pharmacy-related insurance interactions) -----

- HB 64** Revises life and health guaranty association laws. Includes health service corporations and health maintenance organizations as members of the guaranty association. Incorporates model act from the National Association of Insurance Commissioners. Revises an assessment for certain long-term care insurance.
- HB 65** Revises laws related to service of process with the insurance commissioner. Removes the commissioner from service of process unless no registered agent is provided and certain conditions are met. Separates service of process requirements for domestic insurers and for foreign or alien insurers.
- HB 66** Revises or repeals insurance laws relating to the State Auditor, including removal of most references to benevolent societies, which by existing law no longer can be formed. Also removes

references to charitable annuities, over which the State Auditor has no authority. Removes a reference in health insurance statutes to alcohol and narcotics, which is preempted by federal law. Removes other references that no longer serve a purpose.

- HB 85** Revises laws relating to insurance entity organizational filings, allows insurance commissioner to provide in cases of dissolution of an authorized insurer a certificate verifying that taxes have been paid, and revises terms for articles of incorporation to coordinate with secretary of state business filings. Clarifies incorporation terms for farm mutual insurers and organizational review for captive insurers.
- HB 91** Revises laws related to independent review organizations, including specifying fees for original applications and for renewals. Allows the commissioner to terminate listing of an independent review organization that does not fulfill reporting requirements. Removes language related to rotating use of independent review organizations.
- HB 92** Generally revises insurance laws and laws affecting the insurance commissioner's office. Revises conflict of interest statute for insurance commissioner's office. Revises service of process fees. Revises penalty interest calculation for certain violations. Revises laws related to the commissioner's request for biographical information for certain insurers. Provides for electronic copies of proposed articles of incorporation. Revises voluntary dissolution for for-profit domestic mutual insurers. Revises laws on mid-term premium increases. Clarifies grievance reporting requirements.
- HB 373** Revises insurance producer affiliation regulatory requirements, as related to appointment of insurance producers and of business entity insurance producers. Also requires insurers to file appointment notice with the insurance commissioner.
- HB 382** Revises requirements for automobile traffic safety insurance discounts by extending to 3 years from 2 years the period for which a discount applies for drivers older than 55 or for military who have completed defensive driving classes.
- HB 578** Allows surplus lines insurance to cover certain disability situations, specifically providing for disability income insurance for individuals in professional sports, the entertainment industry or a business entity insuring a principal for liability and loan/insurance guarantees.
- SB 39** Revises surplus lines insurance requirements to redefine "natural disaster multiperil insurance" and include marine insurance with surplus lines insurance. Provides terms for procurement of surplus lines insurance.
- SB 55** Generally revises captive insurance laws. Recognizes that some captive insurers can be limited liability companies. Eliminates and revises certain filing requirements for captives. Allows use of an irrevocable letter of credit issued in another state for capital and surplus requirements. Revises requirement for one in state manager for a captive risk retention group formed as a limited liability company. Addresses merger terms for various captives.
- SB 71** Establishes requirements for prescription drug benefits offered under a health benefit plan. Establishes method of determining payment for brand-name and generic prescription drugs. Requires health insurance issuers to use compensation for prescription drugs to lower

consumer health insurance costs. Prohibits conflicts of interest in developing formularies.
(Vetoed – Override Poll closes 6/14)

- SB 83** Establishes allowable and prohibited practices for pharmacy benefit managers and other third-party payers. Prohibits certain direct or indirect charges on pharmacies to assure fee transparency. Prohibits copayments that exceed the cost of the prescription drug. Allows the dispensing provider or pharmacy to retain the adjudicated reimbursement. Provides criteria and limits regarding what pharmacy benefit managers or third-party payers can require of pharmacies.
- SB 270** Revises reimbursement conditions for network pharmacies, pharmacists. Allows pharmacists to discuss and disclose reimbursement criteria. Limits insurance plan sponsors, issuers, or pharmacy benefit managers from requiring a pharmacy to collect copayments that exceed total charges.
- SB 125** Establishes the Montana reinsurance association and mandatory reinsurance program for all Montana health insurers, except those covered by the Employee Retirement Income Security Act, long-term care insurance, and a few other specific types of health insurance policies. The reinsurance component is paid from a 1.2% assessment on total premium volume.
- SB 240** Restores the term rescission to a statute that says if misrepresentations, omissions, incorrect statements are included in applications for an insurance policy or annuity, or if facts are concealed, the insurer can preclude benefits and allow rescission under certain circumstances. Provides for jurisdiction in Montana courts to determine the rights of the parties under the Uniform Declaratory Judgments Act.
- SB 335** Prohibits an insurer or PBM from paying health care facilities that offer prescription drugs through the federal 340B program less than the amount set for a drug in established national or state standards and prohibits insurers and PBMs from charging those facilities an additional fee or other charge for the drugs if the fee or charge is not imposed on other health care facilities.

Labor, Employment, and Unemployment -----

- HB 67** Revises unemployment insurance benefits to make military members’ benefits uniform.
- HB 323** Prohibits union dues and other assessments to be charged to nonmember employees.
Conforms with Janus v. AFSCME Supreme Court decision in 2018. (Vetoed by Governor)
- HB 566** Establishes a requirement for background employment checks for employees in assisted living facilities and prohibits employment under certain circumstances. Allows the Department of Public Health and Human Services to revoke an assisted living facility license if employees in that facility did not undergo background checks.
- HB 732** Provides for the Department of Labor and Industry to reimburse under certain circumstances an employer’s increase in workers’ compensation premium that is related to the employer’s hiring of a student in certain work-based learning opportunities. Allows the reimbursement from the workers’ compensation administration fund.

- SB 77** Implements audit recommendations for certain licensing boards, voc rehab, UI. Repeals the Athletics program (for boxing). Eliminates the industrial accident rehabilitation account and transfers remaining funds to the uninsured employer fund. Provides details for a real estate salesperson’s classroom hours and moves rookie course for new real estate salespersons to a pre-licensing requirement. Conforms unemployment insurance withholding with federal income tax laws. Provides that maps of mines be made available to the department upon request. All these issues were related to areas of concern described by legislative auditors.
- SB 218** Exempts from minimum wage and overtime requirements a student enrolled in postsecondary educational institutions who assists with student housing programs and receives full or partial reimbursement related to free or reduced housing in a campus-owned facility.
- SB 264** Establishes contract requirements, including payment of the standard prevailing rate of wages and terms for apprentice wages, for work completed to implement remediation plans.
- SB 269** Establishes a registration program for home inspectors within the Department of Labor and Industry, running parallel to the contractor registration program. Sets fees and minimum requirements. Provides for listing registered home inspectors on the department website.
- SB 271** Revises laws related to boilers and steam engines. A boiler does not need to be inspected if used as a hobby for exhibition, education, or historical but not commercial purposes under certain limitations. The bill also says the department may accept a valid inspection of a steam engine conducted in another state.
- SB 305** – Revises the unemployment insurance appeals board membership to require one member from the private business sector who owns or is employed by an entity with more than 10 employees.

Livestock -----

- HB 51** Repeals the Montana-certified natural beef cattle marketing program.
- HB 101** Revises to March 31 from January 31 the date by which a livestock owner who has reason to request a refund of per capita fees is to apply for the refund.
- HB 327** Clarifies labeling requirements for meat. Includes a definition of “cell-cultured edible products” and clarifies definitions of “hamburger” and “ground beef”. Revises terms for misbranding or mislabeling of food and meat.
- HB 520** Increases general fund transfer for livestock loss programs to \$300,000 each fiscal year from \$200,000.
- HJ 29** Interim study of meat inspection laws, reviewing state and federal laws and inspection practices and regulatory procedures.
- SB 56** Revises requirement for a hearing before suspending or revoking a meat establishment license and repeals the meat and poultry inspection appeals process.

- SB 57** Removes reference to meat inspection system for home-grown and home-killed meats to conform with federal standards.
- SB 133** Revises eligibility for livestock loss payments by requiring certification that a livestock producer eligible for loss coverage has paid per capita fees, with some exceptions.

Local Government -----

- SB 171** Revises laws related to firefighters and tobacco by imposing a requirement that paid firefighters hired on or after July 1, 2019, be tobacco-free and that paid firefighters hired before July 1, 2019, take a tobacco cessation course once every 4 years. Also prohibits use of tobacco products by paid or volunteer firefighters while engaged in firefighting work or in training or on worksites related to firefighting.

Occupational and Professional Licensing, Regulation -----

- HB 68** Revises electrician licensing regarding nonrenewal to match other boards.
- HB 105** Revises process for out-of-state licensure for professional licensing boards by stating that an occupational and professional licensing board “shall” (rather than “may”) issue a license in this state without examination if the applicant is licensed in another state under standards similar to those used in Montana and if no other reason is found to deny a license.
- HB 196** Clarifies educational requirements for the Board of Funeral Service by removing a requirement for additional credits for board-approved subjects that are not specific to mortuary science.
- HB 376** Repeals the real estate recovery account. Provides a transition period and a transfer of funds to the housing Montana fund on Feb. 1, 2021.
- HB 416** Requires professional liability coverage for certain real estate licensees. The Board of Realty Regulation is allowed to provide a policy with individual or group policy limits per-claim of \$100,000, a minimum annual aggregate limit of \$300,000, and a maximum deductible of \$2,500 a claim. A policy issued to a firm is to have higher minimum annual aggregate limits and deductibles.
- HB 518** Authorizes physical therapy assistants to be supervised using telemedicine.
- HB 566** Requires background checks for employees of assisted living facilities.
- HB 581** Requires timely response to license applications for all professional and occupational licensing boards, whether through licensure or notification of missing items or an explanation for delay. Revises requirements for licensed clinical social workers or professional counselors to obtain a license if they are practicing for 45 consecutive days or more (retains 60 days if not consecutive).
- HB 599** Allows for a community health aide program for tribal facilities under the auspices of the U.S. Secretary of Health and Human Services. Provides licensing exception if aides have appropriate

- federal certification and are working on behalf of the U.S. government for Indian health-related services. Allows aides to work in behavioral health, dental health, and community health.
- HB 626** Revises social worker licensing laws. Creates two new licensure levels, adding to existing licensed clinical social worker. The new licenses are for a licensed baccalaureate social worker and a master's level social worker.
- HB 751** Revises licensure of plumbers by requiring the supervising master plumber to sign off on experience obtained in the field by applicants to be journeyman plumbers or master plumbers. Allows the board to determine the periods for which observation is required. Provides a penalty for false swearing.
- SB 61** Revises the Prescription Drug Registry. Describes a health information system. Provides for registration and payment of an annual fee for the Prescription Drug Registry by a licensee under Title 37 with prescriptive or dispensing authority.
- SB 63** Revises funeral, mortuary, and cemetery laws, in particular related to terms like undertakers and funeral directors. Provides a student exemption from licensing under certain conditions. Expands laws related to perpetually maintained cemeteries to include funeral and cemetery trusts.
- SB 74** Revises authorization language on fingerprinting under certain licensing, unemployment insurance laws.
- SB 75** Revises laws related to the Board of Public Accountants, expanding the number of audits of continuing education credits that can be done and extending use of the board's enterprise fund through Sept. 30, 2023. Also streamlines reference to a professional ethics course.
- SB 77** Implements audit recommendations for certain licensing boards and Department of Labor and Industry. Repeals the Athletics program (for boxing). Provides details for a real estate salesperson's classroom hours and moves rookie course for new real estate salespersons to a pre-licensing requirement. See Labor for additional information.
- SB 94** Provides signature authority to advanced practice registered nurses when a law or rule requires a signature or verification by a physician.
- SB 157** Revises dental auxiliary laws to allow a dental assistant certified by the Dental Assisting National Board to be supervised under general, rather than direct, supervision.
- SB 267** Removes regulation of private alternative adolescent residential and outdoor programs from a licensing board under the Department of Labor and Industry and puts the licensing under the Department of Public Health and Human Services. Rules may be adopted to ensure the health and safety of program participants. A transition lets existing rules stay in place until new rules are adopted.
- SB 269** Establishes a registration program for home inspectors within the Department of Labor and Industry, running parallel to the contractor registration program. Sets fees and minimum requirements. Provides for listing registered home inspectors on the department website.

- SB 270** Revises reimbursement conditions for network pharmacies, pharmacists. Allows pharmacists to discuss and disclose reimbursement criteria. Limits insurance plan sponsors, issuers, or pharmacy benefit managers from requiring a pharmacy to collect copayments that exceed total charges.
- SB 271** Revises laws related to boiler traction engines.
- SB 288** Revises determination of audit timing for the Montana Chiropractic Legal Panel to the discretion of the legislative auditor.
- SJ 18** Interim study of occupational licensing barriers for criminal convictions.

Public Employees -----

- HB 323** Prohibits union dues and other assessments to be charged to nonmember employees. *Conforms with Janus v. AFSCME Supreme Court decision in 2018. (Vetoed by Governor)*
- HB 343** Revises retention to 20 years for records related to a compromise or settlement of a claim against the state, including by an employee.
- SB 295** Provides for conversion of a public employee’s sick leave, annual leave, and compensatory time off to death benefits if the public employee dies in an accident while on the job.

Securities -----

- HB 90** Generally revises securities regulations. Expands definition of compensation to include money or a thing of purposed value under the definition of a pyramid promotional scheme.
- HB 694** Revises licensing fees for investment-related advisors.

Transportation, Motor Vehicles, and Vehicle Dealers -----

- HB 450** Revises motor vehicle laws and dealer license requirements, including timing of payments for vehicle registration fees. Also modifies terms for dealer licensure related to geographic location that may house no more than three other wholesale, broker, auction, or retain vehicle dealers. Revises license transfer terms to include brokers and auto auctions and clarifies need for new license application whenever licenses are transferred or other changes in ownership or management occur, regardless of whether by dealers, brokers, auto auctions, or wholesalers. Also clarifies that liens are the obligation of a dealer who has purchased motor vehicles as well as accepted them as trades. Modifies annual reports.
- HB 515** Revises motor vehicle laws by: providing for revocation of a commercial driver’s license for severe forms of human trafficking; allowing the driver rehabilitation and improvement program to offer online or classroom instruction; removing referrals by department hearing examiners; addressing license requirements, renewals, and replacements; allowing waivers of the

commercial driver’s license knowledge test related to military-related motor vehicle experience; revising terms for license reinstatement and use of a probationary license after revocation; revising self-insurance options and eliminating certain indemnity bonds; revising recordkeeping; limiting disclosure of social security numbers; and revising terms related to the point schedule for habitual offenders.

HB 617 Revises franchise laws, particularly automobile franchise laws. (See under Corporations, etc.)

HB 624 Revises motor vehicle laws to streamline transfers of certificate of title.

Workers’ Compensation -----

HB 732 Provides workers’ compensation premium offset in certain work-based learning programs. Provides for payment out of the workers’ compensation administration fund. Taps the Employment Security Account for administration.

HB 757 Revises workers’ compensation laws by requiring (rather than allowing) certification of workers’ compensation examiners and removing a termination date on a statute that allows Montana employers with workers working entirely in North Dakota to obtain North Dakota workers’ compensation insurance instead of carrying separate insurance under Montana law.

SB 160 Provides a presumptive occupational disease determination of eligibility for workers’ compensation benefits for firefighters under certain circumstances. Lists types of diseases eligible for presumption. Requires periodic physicals of firefighters to obtain presumption. Allows insurers to rebut the presumption. Provides opt-in choice for volunteer firefighters. Effective July 1, 2019. SB 160 tied to SB 171’s passage.

SB 171 Requires paid firefighters to be tobacco-free if hired on or after July 1, 2019. Provides tobacco cessation courses to paid firefighters currently using tobacco products. Prohibits collective bargaining agreements from provisions allowing tobacco use.

SB 351 Revises Montana State Fund board composition and term requirements by setting an April 1 date for starting a term and requiring the governor to appoint board members on or before February 1 in odd-numbered years. The bill also requires the State Fund to pay \$100 a year toward compensation for legislative liaisons, to be paid into the general fund.