

JULY 2021

Economic Affairs Interim Committee  
Erin Sullivan, Legislative Research Analyst

# ECONOMIC AFFAIRS LEGISLATION

## 2021 LEGISLATIVE SESSION

### Background

The 2021 Legislature passed numerous bills involving economic affairs. This summary provides an overview of major legislation – excluding the budget provisions of House Bill 2 – in the economic affairs area. It focuses primarily on legislation that was approved by the Legislature. However, it also includes bills that were vetoed by the governor.

Legislation is summarized by topic, unless the bill was introduced at the request of the committee or an agency, in which case the legislation is listed in the interim committee and agency section.

### BILLS AFFECTING EAIC DUTIES

[HB 139 \(Chapter 160\)](#) Revises death certificate fees and provides for their use as a funding source of the board of funeral services through a special revenue account. The board shall report to the EAIC on the status of the special revenue account and fees charged as a funding source for the board.

[HB 437 \(Chapter 167\)](#) Repeals the Board of Research and Commercialization Technology and removes references to the board in statute.

[HB 624 \(Vetoed\)](#) *Creates a childcare task force that is administratively attached to the DLI. Creates monitoring duties.*

[HB 648 \(Chapter 553\)](#) Creates natural resource-related investigation programs; provides for a study of economic impacts of cost disallowances. The Bureau of Mines shall establish a hydrocarbon and geology investigation program and report findings to the EQC and EAIC. The Department of Commerce shall establish a coal ash markets investigation program and report findings to the EQC and EAIC.

[HB 701 \(Chapter 576\)](#) Revises laws related to the regulation and taxation of marijuana; transfers authority over the licensing, cultivation, and sale of medical marijuana to registered cardholders to the Department of Revenue; creates separate license categories for cultivation, manufacturing, dispensing, and transporting marijuana; provides for eight combined-use marijuana licenses; creates a marijuana worker permit; provides for a local-option marijuana excise tax; requires local government approval for a marijuana business to operate in a local jurisdiction; provides appropriations and rulemaking authority to the Department of Revenue; provides for expungement of criminal convictions related to marijuana; directs oversight of both the recreational and medical marijuana programs to the Economic Affairs Interim Committee.

[SB 57 \(Chapter 261\)](#) Revises requirements for reports to the Legislature and updates requirements for reports to the Legislature Clearinghouse. A new section of law cites reports to the EAIC to include: the annual

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state compensation insurance fund budget from the board of directors in accordance with 5-5-223 and 39-71-2363, an annual report on the administrative rate required from the department of commerce from the Montana heritage preservation and development commission in accordance with 22-3-1002, state fund reports from the insurance commissioner in accordance with 33-1-115, annual reinsurance reports from the Montana reinsurance association board required in accordance with 33-22-1308, reports from the department of labor and industry concerning board attendance in accordance with 37-1-107, drug registry reports from the board of pharmacy in accordance with 37-7-1514, risk-based capital reports from the state fund in accordance with 33-1-115 and 39-71-2375, and status reports on the distressed wood products industry revolving loan program from the department of commerce in accordance with 90-1-503.

### SB 97 (Chapter 45)

HB 141 in the 2017 session required monitoring of the Department of Labor and Industry's determinations as to whether any board actions are considered by the Commissioner of Labor and Industry to be anticompetitive. The Commissioner has the responsibility to determine if any board actions violate antitrust laws. The EAIC may initiate further hearings, backstop the Commissioner, or provide an alternative process for those alleging possible antitrust activities by boards or licensees. HB 141 was set to terminate July 1, 2021 SB 97 eliminates the termination date for active supervision of licensing board actions that are anticompetitive.

### SB 234 (Chapter 425)

Creates the Unemployment Insurance Program Integrity Act; provides definitions and verification requirements; requires reporting to EAIC.

### SB 374 (Chapter 454)

Allows medical practitioners to dispense drugs to patients; establishes requirements for and limitations on medical practitioner dispensing, including requiring registration; provides rulemaking authority. Requires the Board of Pharmacy to report on registration, enforcement and other actions to the EAIC by September 30, 2023.

## INTERIM COMMITTEE AND AGENCY REQUESTED LEGISLATION

### Economic Affairs Interim Committee

During the 2019-2020 interim, the EAIC requested three bill drafts. Of the three drafted and introduced, all were passed and approved:

### HB 157 (Chapter 161)

Allows a brewery or winery to be located adjacent to an on-premises retail license, if the licensees maintain adequate physical separation; allows an applicant for an on-premises alcohol license to have a spouse that has an ownership interest in a manufacturer license.

### SB 51 (Chapter 483)

Exempts certain fiber optic or coaxial cable from property taxation for five years and provides for a phased exemption plan for the following five years.

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[SB 52 \(Chapter 484\)](#) Revises the lodging facility use tax and the sales tax on lodging and rental cars; aligns definitions for the lodging facility use tax and the sales tax on lodging; requires registration and collection by short-term rental marketplaces.

## Department of Agriculture

During the 2019-2020 interim, the Department of Agriculture requested five bill drafts. Of the four drafted and introduced, three were passed and approved:

[HB 93 \(Chapter 90\)](#) Allows the Department of Agriculture to establish the noxious weed seed free certification for additional materials; allows for the establishment of fees to fund programs; provides rulemaking authority.

[HB 94 \(Chapter 58\)](#) Expands the loan types eligible for the Montana Farmer Loan Repayment Assistance Program

[HB 142 \(Chapter 59\)](#) Revises the regulation of hemp; provides for the regulation of hemp crude and hemp derivatives; provides rulemaking authority.

## Department of Commerce

During the 2019-2020 interim, the Department of Commerce requested eight bill drafts. Of the two drafted and introduced, both were passed and approved:

[HB 11 \(Chapter 466\)](#) Appropriates money from the Treasure State Endowment Special Revenue Account to the Department of Commerce for infrastructure projects, emergency grants for financial assistance to local governments, and infrastructure planning grants; authorizes grants from the account; places conditions and provides clarification on grants and funds.

[HB 12 \(Chapter 467\)](#) Appropriates money from the Historic Preservation Grant Program Account to the Department of Commerce for historic preservation projects; requires matching funds for grants; authorizes grants from the account; places conditions on grants and funds.

## Department of Labor and Industry

During the 2019-2020 interim, the Department of Labor and Industry requested two bill drafts. Of the two drafted and introduced, both were passed and approved:

[HB 96 \(Chapter 77\)](#) Moves the administration of the state special revenue account to support activities related to awareness and education efforts for procurement of organ and tissue donations for anatomical gifts from the Department of Public Health and Human Services to the Department of Labor and Industry.

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[SB 56 \(Chapter 56\)](#) Repeals the separate Board of Personnel Appeals procedure for Department of Transportation and Department of Fish, Wildlife, and Parks' grievance procedure, creating consistent grievance procedures for all state employees.

## Department of Revenue – Alcoholic Beverage Control Division

During the 2019-2020 interim, the Department of Revenue's Alcoholic Beverage Control Division requested four draft bills. Of the two drafted and introduced, both were passed and approved:

[HB 19 \(Chapter 64\)](#) Revises alcohol laws relating to conditional licenses and premises by conforming alcohol laws with the approval of licenses without approved premises.

[HB 79 \(Chapter 25\)](#) Revises the definition of "malt beverage" to include alcoholic beverages made with malt substitutes.

## Livestock Loss Board

During the 2019-2020 interim, the Livestock Loss Board requested three bill drafts. Of the three drafted and introduced, all were passed and approved:

[SB 26 \(Chapter 36\)](#) Clarifies eligibility for the livestock loss mitigation program and the livestock loss reduction program; clarifies that livestock producers on tribal lands are eligible for livestock loss mitigation reimbursement.

[SB 27 \(Chapter 38\)](#) Clarifies the reimbursement methods for livestock losses and provides multipliers for reimbursement of livestock losses.

[SB 58 \(Chapter 181\)](#) Transfers funds to the livestock loss reduction restricted special revenue account; repeals the sunset provision on the account and fund transfer; provides rulemaking authority.

## Montana State Auditor

During the 2019-2020 interim, the Montana State Auditor requested ten bill drafts. Of the nine drafted and introduced, all were passed and approved:

[HB 41 \(Chapter 28\)](#) Revises the securities act relating to the place of business for investment advisers and broker-dealers.

[HB 43 \(Chapter 242\)](#) Revises laws related to telehealth; provides definitions; extends coverage requirements.

[HB 63 \(Chapter 471\)](#) Revises insurance regulatory laws; updates references to federal regulations and quarterly listings of alien insurers; requires life insurers to annually provide an opinion relating to reserves.

[HB 64 \(Chapter 76\)](#) Creates the Securities Whistleblower Award and Protection Act; provides definitions, procedures, criteria, and protections.

[HB 65 \(Chapter 127\)](#) Revises the definition of a securities salesperson to include supervisors.

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- [HB 66 \(Chapter 404\)](#) Reauthorizes the Securities Restitution Assistance Fund; extends the sunset date of the restitution fund to June 30, 2027.
- [HB 74 \(Chapter 21\)](#) Repeals the Medical Malpractice Insurance Joint Underwriting Association.
- [HB 80 \(Chapter 65\)](#) Revises laws related to credit allowed domestic ceding insurers; allows credits when reinsurance is ceded in certain situations; provides rulemaking authority.
- [SB 28 \(Chapter 55\)](#) Eliminates the requirement to conduct an examination of each captive insurance company every five years.

## BILLS BY TOPIC

### Agriculture/Livestock

- [HB 294 \(Chapter 122\)](#) Revises fees for agricultural seed licenses; revises the fee structure for seed dealers, seed conditioners, and seed labelers; provides rulemaking authority.
- [HB 336 \(Chapter 410\)](#) Establishes the Interstate Cooperative Meatpacking Compact, which provides for commerce between states for state-inspected meat; establishes participation criteria, inspection criteria, and processes for dispute resolution and revocation of participation.
- [HB 396 \(Chapter 179\)](#) Clarifies the definition of commercial feed to include the use of hemp products.
- [HB 660 \(Chapter 558\)](#) Provides funding for the Made-in-Montana Program through the Department of Commerce; expands the use of the Economic Development State Special Revenue Account
- [HB 681 \(Chapter 564\)](#) Creates the Agricultural Transportation Enhancement Account to benefit an authority with a truck or train transloading facility, to enhance the transportation of agricultural goods.
- [HB 688 \(Vetoed\)](#) **Creates an interim committee on Montana viticulture to examine wine production opportunities in the state.**
- [SB 83 \(Chapter 391\)](#) Allows a nonpossessory special lien on implements of husbandry, construction equipment, forestry equipment, and motorized lawncare and landscaping equipment.
- [SB 131 \(Chapter 189\)](#) Provides for milk price forward contracts; clarifies that milk price forward contracts do not violate fair trade practices.
- [SB 199 \(Chapter 320\)](#) Provides for the Montana Local Food Choice Act; exempts certain homemade food producers from food licensure, permitting, certification, packaging, labeling, and inspection regulations.
- [SB 285 \(Chapter 429\)](#) Allows any type of retail transaction as evidence for estimating agricultural usage of gasoline.

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[SB 288 \(Chapter 430\)](#) Revises the property exemption for agricultural processing facilities; expands the exemption to all types of oilseed processing facilities; removes the employment requirement for the exemption.

## Alcohol/Cigarettes/Marijuana/Tobacco

[HB 226 \(Chapter 194\)](#) Allows for curbside pickup for alcoholic beverages in original packaging; provides requirement and hours for curbside pickup sales; provides exceptions for dock sales.

[HB 249 \(Chapter 505\)](#) Limits advertising of recreational and medical marijuana to a listing in a directory or a basic website, provided there is no false or misleading advertising, and the advertising does not depict, entice, or otherwise promote consumption of the product.

[HB 440 \(Vetoed\)](#) Revises wineries located in Montana to ferment a certain amount of fermentable agricultural products at the winery.

[HB 525 \(Chapter 532\)](#) Revises alcohol concession agreements; requires Department of Revenue approval of concession agreements; provides concession agreement criteria.

[HB 655 \(Chapter 555\)](#) Revises labor laws relating to marijuana; requires certain drug testing to comply with applicable federal laws; provides certain exemptions for medical marijuana; revises laws related to the burden of proof in workers compensation relating to marijuana; and increases fee discount percentages in the event the Department of Revenue does not process a license within the statutory requirements.

[HB 688 \(Vetoed\)](#) Creates an interim committee on Montana viticulture to examine wine production opportunities in the state.

[HB 701 \(Chapter 576\)](#) Revises laws related to the regulation and taxation of marijuana; transfers authority over the licensing, cultivation, and sale of medical marijuana to registered cardholders to the Department of Revenue; creates separate license categories for cultivation, manufacturing, dispensing, and transporting marijuana; provides for eight combined-use marijuana licenses; creates a marijuana worker permit; provides for a local-option marijuana excise tax; requires local government approval for a marijuana business to operate in a local jurisdiction; provides appropriations and rulemaking authority to the Department of Revenue; provides for expungement of criminal convictions related to marijuana; directs oversight of both the recreational and medical marijuana programs to the Economic Affairs Interim Committee.

[HB 705 \(Chapter 568\)](#) Revises laws related to alcohol and gambling licensing, suitable premises for licensed retail establishments, resort all-beverages licenses, loans and financing by licensees, concession agreements, bottle clubs, business ownership interests, seating and video gambling machines.

[SB 129 \(Chapter 103\)](#) Revises alcohol regulatory enforcement laws to prohibit the Department of Revenue to issue certain citations based on contrived events; allows the Department of Revenue to issue citations based on contrived events only after certain circumstances.

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- [SB 156 \(Chapter 264\)](#) Revises laws for the sale of alcohol, tobacco, alternative nicotine products, vapor products, and marijuana by requiring periodic deletion of data and metadata from scans of government or tribal-issued identification, and prohibiting the misuse of data and metadata from such identification.
- [SB 247 \(Chapter 395\)](#) Allows schools in the Montana State University system to contract with a licensed entity to serve alcohol at sporting events held on university property.
- [SB 320 \(Chapter 451\)](#) Allows for delivery of certain alcoholic beverages with the delivery of food; provides for an alcohol delivery endorsement; applies delivery requirements to on-premises beer and wine, all-beverages, and restaurant beer and wine licensees.
- [SB 398 \(Chapter 455\)](#) Revises laws relating to alternative nicotine products, vapor products, and tobacco; limits local governments from prohibiting the sale of alternative nicotine products or vapor products; increases the fee to sell alternative nicotine products, vapor products, and certain tobacco products.

## Civil Liability/Consumer Protection

- [HB 435 \(Chapter 516\)](#) Sets conditions on civil actions for exposure to the Covid-19 virus; limits liability of governments and health care providers; provides an affirmative defense for those who comply with certain types of regulations.
- [HB 445 \(Chapter 389\)](#) Revises automobile laws to provide for loaner plates, mediation and resolution of disputes, warranty reimbursement, and registration of certain vehicles by a Montana resident if the resident co-owns the vehicle with out-of-state residents.
- [HB 472 \(Chapter 521\)](#) Revises civil liability laws under the Consumer Protection Act by limiting treble damages and awards of attorney fees.
- [HB 589 \(Chapter 256\)](#) Revises laws for disposition of funds from lawsuits brought regarding unfair trade practices and consumer protection.
- [SB 65 \(Chapter 2\)](#) Establishes the conditions on civil actions for exposure to Covid-19; limits the liability of premises owners and health care providers; provides for an affirmative defense for compliance with certain regulations.
- [SB 167 \(Chapter 318\)](#) Removes the termination dates for medical malpractice-related provisions of the Health and Economic Livelihood Partnership (HELP) Act.
- [SB 251 \(Chapter 327\)](#) Revises laws related to damages in lawsuits; provides the measure of damage recoverable for medical services or treatment in actions arising from bodily injury or death; provides that damages exceeding certain amounts are unreasonable.

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[SB 278 \(Vetoed\)](#) Generally revises laws relating to lawsuits concerning economic consumption, claims involving a felony offense, lawsuits against firearm or ammunition manufacturers, legal fees and costs of nonprofit corporations challenging or supporting certain governmental actions, statutes of limitations for certain actions, unfair trade practices, and service of process.

[SB 316 \(Chapter 572\)](#) Revises laws related to the use of funds for property restoration, liability standards used in remedial actions in the Comprehensive Environmental Cleanup and Responsibility Act; requires awards and settlement funds for restoration damages be used for corrective action; requires funds to be placed in escrow or trust accounts and used for intended purposes.

[SB 345 \(Chapter 340\)](#) Revises damages and penalty distribution under the Montana False Claims Act.

## Economic Development

[HB 257 \(Chapter 408\)](#) Revises laws related to prohibiting actions that impede a private business's ability to conduct business; prohibits certain types of ordinances and resolutions that restrict the ability of a private business to conduct business.

[HB 336 \(Chapter 410\)](#) Establishes the Interstate Cooperative Meatpacking Compact, which provides for commerce between states for state-inspected meat; establishes participation criteria, inspection criteria, and processes for dispute resolution and revocation of participation.

[HB 407 \(Chapter 220\)](#) Establishes statewide uniformity for auxiliary container regulations; preempts local ordinances, resolutions, initiatives, or referendums regulating auxiliary containers; and prohibits local governments from adopting or enforcing ordinances, resolutions, initiatives, or referendums regulating the use, disposition, sale, prohibitions, fees, charges, or taxes on auxiliary containers.

[HB 437 \(Chapter 167\)](#) Repeals the Board of Research and Commercialization Technology and removes references of the board in statute.

## Gambling

[HB 193 \(Chapter 75\)](#) Removes limitations relating to sports pools and sports tabs; removes dollar limitations on the amounts of sports tabs sold and winnings.

[HB 197 \(Chapter 98\)](#) Establishes a player rewards system, provides for player privacy, requirements for the storage and sharing of data, prohibits sharing of information, clarifies rulemaking authority.

[HB 214 \(Chapter 115\)](#) Provides the Board of Horseracing discretion in allocating source market fees; provides the board may allocate fees to the owner bonus program and the breeder bonus program.

[HB 232 \(Chapter 116\)](#) Provides confidentiality of personal information for state lottery and sports gambling winners.

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- [HB 548 \(Chapter 180\)](#) Allows patron dice games to be played; revises the definition of cee-lo to be included in patron dice games.
- [HB 704 \(Chapter 567\)](#) Creates a special raffle or lottery game for the benefit of the Board of Horseracing.
- [HB 705 \(Chapter 568\)](#) Revises laws related to alcohol and gambling licensing, suitable premises for licensed retail establishments, resort all-beverages licenses, loans and financing by licensees, concession agreements, bottle clubs, business ownership interests, seating and video gambling machines.
- [SB 378 \(Chapter 438\)](#) Legalizes certain multiple competitor sports pools.

## Insurance/Financial Institutions/Securities/Trusts

- [HB 117 \(Chapter 129\)](#) Revises claims history information that an insurer may consider in rating automobile insurance policies and allows a discount based on favorable aspects of the insured's claims history.
- [HB 195 \(Chapter 174\)](#) Revises claims history information that an insurer may consider in rating residential insurance policies, allows a discount based on favorable aspects of the insured's claims history, and limits the period for which adverse claims history may be used in issuing, renewing, or rating residential property insurance.
- [HB 290 \(Chapter 121\)](#) Creates the self-storage insurance act, provides for licensure for operators of self-storage facilities; provides for rulemaking authority, requirements, fees, applications, and penalties.
- [HB 291 \(Chapter 209\)](#) Requires health insurance coverage for amplification devices and related services for children with hearing loss.
- [HB 379 \(Chapter 250\)](#) Provides a financial institution or person may not discriminate solely on the basis of sex or marital status in the issuance or operation of an insurance policy, plan, or coverage, or in any pension or retirement plan, program, or coverage, including discrimination in regard to rates, premiums, payments or benefits.
- [SB 76 \(Chapter 420\)](#) Revises captive insurance laws pertaining to the captive insurance regulatory and supervision account; increases the percentage of premium tax paid into the account.
- [SB 149 \(Chapter 422\)](#) Establishes health care sharing ministries; provides definitions, disclaimers, and exemptions.
- [SB 216 \(Chapter 323\)](#) Revises laws related to requiring health insurance issuers to provide parity compliance reporting.
- [SB 217 \(Chapter 277\)](#) Revises the Mental Health Parity Act to include services provided through the psychiatric collaborative care model or primary care behavioral health model; requires multiple employer welfare agreements and public employee benefit plans to comply with requirements of the Mental Health Parity Act.

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- [SB 239 \(Chapter 325\)](#) Establishes the Uniform Directed Trust Act; details powers and duties of trust directors; establishes duties and liabilities of trustees.
- [SB 308 \(Chapter 431\)](#) Repeals the Montana Building and Loan Associations Act and replaces it with the Montana Mutual Savings and Loan Association Act.
- [SB 363 \(Chapter 432\)](#) Revises laws related to annuities; updates statutory language to conform with the National Association of Insurance Commissioners; amends the Montana Suitability in Annuity Transactions Act.
- [SB 364 \(Chapter 344\)](#) Revises insurance laws to provide a framework for liquidity stress testing; provides definitions and rulemaking authority.
- [SB 395 \(Chapter 501\)](#) Creates the Montana Pharmacy Benefit Oversight Act; establishes licensure requirements for pharmacy benefit managers; prohibits certain practices and deceptive advertising; authorizes enforcement and examination authority; provides for rulemaking authority.

## Labor/Employment/Unemployment/Worker's Compensation

- [HB 198 \(Chapter 132\)](#) Increases workers' compensation benefits paid for burial expenses.
- [HB 199 \(Chapter 79\)](#) Allows the Department of Labor and Industry to provide additional information to injured workers; provides for joint petitions for reopening medical benefits.
- [HB 213 \(Chapter 114\)](#) Clarifies that an apprenticeship's rate of wages starts at the date of registration with the sponsor.
- [HB 254 \(Chapter 117\)](#) Revises the wrongful discharge act; revises provisions relating to elements of wrongful discharge and the employment relationship.
- [HB 276 \(Chapter 479\)](#) Adds a certified behavioral health peer support specialist to the Board of Behavioral Health.
- [HB 282 \(Chapter 135\)](#) Allows student employees aged 16 or older to perform work functions under certain circumstances; revises exemptions in agriculture to allow a student-learner to perform regular work functions.
- [HB 283 \(Chapter 136\)](#) Requires workers' compensation insurance coverage for volunteers enrolled in an elementary or secondary educational institution and allows the business partner and educational institution to decide which elects coverage for the volunteer.
- [HB 289 \(Chapter 233\)](#) Prohibits union dues and other assessments to be charged to nonmember public employees.
- [HB 446 \(Chapter 197\)](#) Defines prosthetic device or prosthesis for workers' compensation insurance; provides that a prosthetic device or prosthesis is an artificial substitute for a missing body part.

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- [HB 614 \(Chapter 547\)](#) Revises the workforce development provisions of the Health and Economic Livelihood Partnership (HELP) Act; establishes allowable uses of workforce development funding; requires contracting for training and education programs; extends rulemaking authority.
- [HB 624 \(Vetoed\)](#) Creates a childcare task force that is administratively attached to the DLI. Creates monitoring duties.
- [HB 655 \(Chapter 555\)](#) Revises labor laws relating to marijuana; requires certain drug testing to comply with applicable federal laws; provides certain exemptions for medical marijuana; revises laws related to the burden of proof in workers compensation relating to marijuana; and increases fee discount percentages in the event the Department of Revenue does not process a license within the statutory requirements.
- [SB 118 \(Chapter 63\)](#) Provides that a false statement in an employer-provided questionnaire under certain circumstances is a basis for barring workers' compensation benefits.
- [SB 152 \(Chapter 146\)](#) Revises the licensing of operators of public swimming pools to allow for in-person, online, or other virtual training methods.
- [SB 190 \(Chapter 379\)](#) Allows establishment of tip pooling agreements; provides requirements and limitations of tip pools.
- [SB 234 \(Chapter 425\)](#) Creates the Unemployment Insurance Program Integrity Act; provides definitions and verification requirements; requires reporting to EAIC.
- [SB 367 \(Chapter 345\)](#) Revises laws relating to independent contractors; provides that the Department of Labor and Industry may not presume an employment relationship because a party does not hold an independent contractor certificate for unemployment insurance and workers' compensation purposes.
- [SB 396 \(Chapter 440\)](#) Creates a new license for boilers; provides for a limited low-pressure engineer license; provides for requirements, rulemaking authority, and authorizes the assessment of fees for licensing.

## Laws Affecting Businesses: Contracts/Corporations/Partnerships

- [HB 130 \(Chapter 111\)](#) Revises alternative project delivery and design-build contracting laws; provides for a general contractor construction management contracting process.
- [HB 558 \(Chapter 224\)](#) Prohibits a franchisor from altering a contract in the event of a transfer by the franchisee.
- [HB 566 \(Chapter 168\)](#) Clarifies the guarantor exoneration law.
- [SB 66 \(Chapter 34\)](#) Revises the Montana Business Corporation Act; revises meeting requirements; allows for remote meetings; revises definitions.
- [SB 248 \(Chapter 396\)](#) Establishes student-athlete rights and protections; ensures that a student-athlete can earn compensation for the use of the student-athlete's name, image, or likeness.

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[SB 269 \(Chapter 437\)](#) Revises laws related to mobile home parks; revises the allowed capital gains tax exemption for the sale of a mobile home park; establishes a special revenue account; requires annual notifications of mobile home park owners by the Board of Housing.

## Professions and Occupational Licensing

[HB 139 \(Chapter 160\)](#) Revises death certificate fees and provides for their use as a funding source of the board of funeral services through a special revenue account. The board shall report to the EAIC on the status of the special revenue account and fees charged as a funding source for the board.

[HB 153 \(Chapter 22\)](#) Revises professional liability insurance requirements for real estate licensees; limits some requirements to real estate brokers or salespersons with active licenses.

[HB 177 \(Chapter 113\)](#) Revises licensure requirements for professions under the Board of Behavioral Health; provides alternate educational paths as determined by the board by rule for social workers, professional counselors, marriage and family therapists, and addiction counselors.

[HB 180 \(Chapter 67\)](#) Removes the anticompetitive requirement to attest to the skills of licensed journeyman plumbers and apprentices.

[HB 217 \(Chapter 206\)](#) Requires licensure of genetic counselors; establishes licensure requirements and scope of practice; provides definitions and rulemaking authority.

[HB 234 \(Chapter 99\)](#) Removes the sunset provision from law requiring massage therapy businesses to display each massage therapist's license; revises the officials who may determine compliance.

[HB 295 \(Chapter 178\)](#) Allows licensed therapists and clinical social workers to use psychotherapeutic techniques to treat chronic pain.

[HB 477 \(Chapter 310\)](#) Revises the Board of Behavioral Health to require one licensed marriage and family therapist to sit on the board.

[HB 593 \(Chapter 544\)](#) Revises the membership and rulemaking authority of the Board of Barbers and Cosmetologists; revises requirements for licensing, schools, and teachers.

[HB 669 \(Chapter 289\)](#) Revises the membership structure of the State Electrical Board; allows the option for the master licensed electrician member to instead be a licensed electrician who holds an unlimited electrical contractor license.

[SB 70 \(Chapter 57\)](#) Clarifies title protection for physical therapist assistants; removes the oral interview requirement for physical therapist licensure applicants; allows physical therapist licensure applicants to take the licensure exam prior to graduation.

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- [SB 90 \(Chapter 43\)](#) Revises licensure for psychologists; allows licensure of individuals with experience and no discipline in other jurisdictions; allows temporary licensure of postdoctoral supervisees.
- [SB 97 \(Chapter 45\)](#) HB 141 in the 2017 session required monitoring of the Department of Labor and Industry's determinations as to whether any board actions are considered by the Commissioner of Labor and Industry to be anticompetitive. The Commissioner has the responsibility to determine if any board actions violate antitrust laws. The EAIC may initiate further hearings, backstop the Commissioner, or provide an alternative process for those alleging possible antitrust activities by boards or licensees. HB 141 was set to terminate July 1, 2021 SB 97 eliminates the termination date for active supervision of licensing board actions that are anticompetitive.
- [SB 102 \(Chapter 50\)](#) Revises licensure requirements for social workers; clarifies requirements for use of certain titles for social workers; clarifies out-of-state professional counselor applicants; eliminates reference letter requirements; revises criminal background check and fingerprint requirements.
- [SB 106 \(Chapter 392\)](#) Creates a license and qualifications for veterinary technicians under the Board of Veterinary Medicine; outlines scope of practice for licensed veterinary technicians; adds a member to the Board of Veterinary Medicine to represent licensed veterinary technicians; provides definitions and rulemaking authority.
- [SB 121 \(Chapter 393\)](#) Updates the definition of acupuncture to reflect modern techniques and modalities.
- [SB 166 \(Chapter 299\)](#) Revises licensure requirements and education requirements for addiction counselors; revises registration requirements for addiction counselor licensure candidates; allows for criminal background checks for addiction counselor license applicants.
- [SB 275 \(Chapter 281\)](#) Revises the Board of Outfitters membership; terminates the current board membership; revises the board's duties; revises regulation of the partial sale or temporary transfer of a hunting or fishing outfitter's business; provides an exception for the outfitters on the Beaverhead and Big Hole Rivers; revises certain outfitter services, fee deposits, liability, enforcement, and penalties.
- [SB 374 \(Chapter 454\)](#) Allows medical practitioners to dispense drugs to patients; establishes requirements for and limitations on medical practitioner dispensing, including requiring registration; provides rulemaking authority. Requires the Board of Pharmacy to report on registration, enforcement and other actions to the EAIC by September 30, 2023.

## Miscellaneous

- [HB 201 \(Chapter 229\)](#) Clarifies the calculation of zone pay and travel allowances in a prevailing wage district; defines a "dispatch" city to include Billings, Bozeman, Butte, Great Falls, Helena, Kalispell, Miles City, Missoula, and Sidney.
- [HB 609 \(Chapter 225\)](#) Creates a special revenue account to provide aid to counties for funerals of indigent persons.

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- [SB 91 \(Chapter 314\)](#) Revises fiscal note procedures to allow for a fiscal note when an initiative or bill has a fiscal effect on private entities; allows the budget director to identify and secure a qualified fiscal estimating provider willing to provide a draft estimate at no cost to the state.
- [SB 266 \(Chapter 377\)](#) Revises unfair or deceptive acts or practices in the conduct of trade or commerce to include certain actions related to the operation and maintenance of an electrical generation facility.
- [SB 301 \(Chapter 398\)](#) Prohibits political subdivisions from requiring employers to provide wages and benefits that are inconsistent with state and federal law.