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**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A RAILROAD TRACK INSPECTION PROGRAM;
CREATING RAILROAD TRACK REPORTING REQUIREMENTS; PROVIDING RULEMAKING AUTHORITY;
AMENDING SECTIONS 15-23-215, 17-7-502, AND 69-14-111, MCA; PROVIDING A DELAYED EFFECTIVE
DATE."

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

Section 1. Section 15-23-215, MCA, is amended to read:

"15-23-215. Deposit of taxes. ~~(1) All taxes~~ Eight percent of the taxes, penalties, and interest collected
by the department of revenue under 15-23-211 through 15-23-216 must be deposited in the Montana rail
inspection fund established in 17-2-102. Remaining taxes, penalties, and interested must be deposited in the
general fund."

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory
appropriation is an appropriation made by permanent law that authorizes spending by a state agency without
the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with
both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-
407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807;

1 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-316; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121; 15-1-
 2 142; 15-1-143; 15-1-218; 15-1-2302; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117;
 3 15-39-110; 15-65-121; 15-70-128; 15-70-131; 15-70-132; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-
 4 212; 17-3-222; 17-3-241; 17-6-101; 17-6-214; 17-7-133; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-410;
 5 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-3-
 6 369; 20-7-1709; 20-8-107; 20-9-250; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-
 7 116; 22-3-117; [22-3-1004]; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-
 8 204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-4-1506; 44-12-213; 44-13-102; 50-
 9 1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-5-530; 60-11-115; 61-3-321; 61-3-415; 67-1-
 10 309; 69-3-870; 69-4-527; [\[section 4\]](#); 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-
 11 13-151; 76-13-417; 76-17-103; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-
 12 1-113; 81-2-203; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603;
 13 87-5-909; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

14 (4) There is a statutory appropriation to pay the principal, interest, premiums, and any costs or fees
 15 associated with issuing, paying, securing, redeeming, or defeasing all bonds, notes, or other obligations, as due
 16 in the ordinary course or when earlier called for redemption or defeased, that have been authorized and issued
 17 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of
 18 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined
 19 by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have
 20 statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the
 21 inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement
 22 system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410
 23 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental
 24 benefit provided by 19-6-709; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on
 25 occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117
 26 terminates June 30, 2025; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates
 27 September 30, 2025; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027;
 28 pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to secs.

1 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 1, Ch.
 2 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 1, 2, 3, Ch. 139, L. 2021,
 3 the inclusion of 53-9-113 terminates June 30, 2027; pursuant to sec. 8, Ch. 200, L. 2021, the inclusion of 10-4-
 4 310 terminates July 1, 2031; pursuant to secs. 3, 4, Ch. 404, L. 2021, the inclusion of 30-10-1004 terminates
 5 June 30, 2027; pursuant to sec. 5, Ch. 548, L. 2021, the inclusion of 50-1-115 terminates June 30, 2025;
 6 pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is effective July 1, 2027; pursuant to
 7 sec. 1, Ch. 20, L. 2023, sec. 2, Ch. 20, L. 2023, and sec. 3, Ch. 20, L. 2023, the inclusion of 81-1-112, 81-1-
 8 113, and 81-7-106 terminates June 30, 2029; pursuant to sec. 9, Ch. 44, L. 2023, the inclusion of 15-1-142
 9 terminates December 31, 2025; pursuant to sec. 10, Ch. 47, L. 2023, the inclusion of 15-1-2302 terminates
 10 June 30, 2025; pursuant to sec. 2, Ch. 374, L. 2023, the inclusion of 10-3-802 terminates June 30, 2031;
 11 pursuant to sec. 12, Ch. 558, L. 2023, the inclusion of 20-9-250 terminates December 31, 2029; pursuant to
 12 sec. 4, Ch. 621, L. 2023, the inclusion of 22-1-327 terminates July 1, 2029; pursuant to sec. 24, Ch. 722, L.
 13 2023, the inclusion of 17-7-133 terminates June 30, 2027; pursuant to sec. 10, Ch. 758, L. 2023, the inclusion
 14 of 44-4-1506 terminates June 30, 2027; and pursuant to sec. 10, Ch. 764, L. 2023, the inclusion of 15-1-143
 15 terminates December 31, 2025.)"

16
 17 **Section 3.** Section 69-14-111, MCA, is amended to read:

18 **"69-14-111. Supervision of railroads.** (1) The commission shall supervise railroads subject to the
 19 provisions of this chapter.

20 (2) The commission may:

21 (a) adopt or enforce regulations and orders related to railroad safety or security in accordance with 49
 22 U.S.C. 20106;

23 (b) bring civil action in a district court for violations of federal railroad safety regulations in accordance
 24 with 49 U.S.C. 20113; ~~and~~

25 (c) operate a railroad inspection program that employs:

26 (i) 3 motive power and equipment inspectors;

27 (ii) 2 railroad track inspectors;

28 (iii) 1 operating practice inspector; and

1 (iv) necessary additional staff to administer the program; and

2 ~~(e)(d)~~ participate in investigative and surveillance activities in accordance with 49 U.S.C. 20105."

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4 **NEW SECTION. Section 4. Montana rail inspection special revenue account -- use -- statutory**

5 **appropriation.** (1) There is a Montana rail inspection account in the state special revenue fund established in
6 17-2-102.

7 (2) There must be paid into the account money received from railcar taxes in accordance with 15-23-
8 101.

9 (3) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department of
10 public service regulation and may not be used for any purposes other than the improvement, development, and
11 operation of the state rail inspection program.

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13 **NEW SECTION. Section 5 . Codification instruction.** [Section 4] is intended to be codified as an
14 integral part of Title 69, chapter 14, and the provisions of Title 69, chapter 14, apply to [section 4].

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16 **NEW SECTION. Section 6. Effective date.** [This act] is effective July 1, 2025.

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