

1 HOUSE BILL NO. 632  
2 INTRODUCED BY F. GARNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE AMERICAN RESCUE PLAN ACT;  
5 PROVIDING APPROPRIATIONS OF FEDERAL FUNDS AND OTHER FUNDS AVAILABLE BECAUSE OF  
6 THE RECEIPT OF FEDERAL FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2021; ALLOWING  
7 APPROPRIATIONS TO CONTINUE INTO THE 2023 BIENNIUM; PROVIDING CONDITIONS AND  
8 RESTRICTIONS ON THE USE OF FUNDS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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12 (Refer to Introduced Bill)

13 Strike everything after the enacting clause and insert:

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15 **NEW SECTION. Section 1. Authorization to modify or increase appropriations and**  
16 **authorizations -- report of modifications or changes.** (1) The governor or the budget director is authorized  
17 to redirect appropriations and authorizations to other projects or appropriations within [this act] to ensure  
18 conformity with applicable federal laws, regulations, and guidance issued by federal agencies.

19 (2) ~~—~~ If a proposed line-item transfer or a fund switch in [this act] exceeds \$100,000, the budget director  
20 will submit a legal analysis and detailed description of the requested line-item transfer or fund switch to the  
21 legislative fiscal analyst 30 days prior to the next scheduled meeting of the legislative finance committee.

22 (a) For purposes of this section, the following definitions apply:

23 (i) "line-item transfer" means the transfer of appropriation authority from one line-item to a different  
24 line-item.

25 (ii) "fund switch" means a change in a line-item fund source or account to another fund source or  
26 account.

27 (3) ~~—~~ The legislative finance committee must review the proposed line-item transfer or fund switch at the  
28 next meeting a representative of the office of budget and program planning shall be present at the meeting to

1 discuss the proposal.- The legislative finance committee may take up to 30 days following its meeting to review  
2 and comment on the proposal. If the committee disagrees with the proposed line-item transfer or fund switch,  
3 the line-item transfer or fund switch cannot be implemented until 30 days after the legislative fiscal committee  
4 meeting.

5 (4)-The governor or the budget director is authorized to adjust the parameters of a program or service  
6 appropriated in [this act] to ensure conformity with applicable federal laws, regulations, and guidance issued by  
7 federal agencies.-If parameters of a program are adjusted, the office of budget and program planning shall  
8 notify the legislative finance committee of the change at its next scheduled meeting. The legislative finance  
9 committee may take up to 30 days following its meeting to review and comment on the proposal. If the  
10 committee disagrees with the proposed adjustment, the adjustment cannot be implemented until 30 days after  
11 the legislative fiscal committee meeting.

12 (5) If additional funds are received by the state from the federal government above the levels  
13 appropriated in [this act], HB 3, or HB 630, the approving authority as defined in 17-7-102 may authorize a  
14 budget amendment as defined in Title 17, chapter 7, part 4 and the requirements of 17-7-402(1)(e) do not  
15 apply.-If a federal appropriation is not included in [this act], HB 3, or HB 630, for a specific grant authorized by  
16 the federal government or in an amount sufficient to appropriate the entire amount received from a federal  
17 agency to deploy funds authorized by the federal government, the requirements of 17-7-402(1)(e) do not apply.

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19 **NEW SECTION. Section 2. Dissemination of information -- reporting and accountability.** (1)

20 The office of the governor shall develop and maintain a website to serve as the official website for the state of  
21 Montana for implementing the reporting and accountability requirements of the American Rescue Plan Act of  
22 2021, Public Law 117-2.-The office shall develop requirements for reporting and posting information to the  
23 website, and these requirements are applicable to any recipient of funds from an appropriation in [this act].

24 (2)-The office of budget and program planning shall report at each meeting of the legislative finance  
25 committee during the fiscal year ending June 30, 2021, and throughout the biennium beginning July 1, 2021, on  
26 the implementation or changes to the implementation of [this act] and on the use and status of funds received,  
27 or anticipated to be received, from the American Rescue Plan Act of 2021, Public Law 117-2, or other federal  
28 funds.

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**NEW SECTION. Section 3. Reduction in funding -- health regulations.** If a local government is awarded grant funds pursuant to [this act], the amount of grant is reduced by 20% if that local government or any of its authorized agents, have issued health regulations that are more strict than those imposed by the state.

**NEW SECTION. Section 4. Consideration of select committee proposals.** The work of the select committee on House Bill No. 632 and its subcommittees shall be considered by the advisory commissions established in [this act] when preparing final recommendations to the executive.

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