HOUSE BILL NO. 18

INTRODUCED BY B. GILLESPIE, R. MINER

BY REQUEST OF THE WATER POLICY INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE TERMINATION DATE OF LAWS REGARDING THE WATER COURT; CONTINUING AUTHORIZATION FOR CERTAIN EXISTING WATER COURT PROCESSES; AMENDING SECTION 85-2-280, MCA; AMENDING SECTION 18, CHAPTER 288, LAWS OF 2005, SECTION 11, CHAPTER 319, LAWS OF 2007, AND SECTIONS 10 AND 11, CHAPTER 269, LAWS OF 2015; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 85-2-280, MCA, is amended to read:

"**85-2-280. (Temporary) Water adjudication account.** (1) There is a water adjudication account within the state special revenue fund created in 17-2-102.

(2) By August 15 of each fiscal year, the state treasurer shall transfer the amount necessary when combined with available and unencumbered fund balance, to fund the amount appropriated by the legislature in the general appropriation act from the state general fund to the water adjudication account for the sole purpose of funding the water adjudication program within the department and the water court.

(3) Interest and income earnings on the water adjudication account must be deposited in the account and may not be transferred to any other account prior to June 30, ~~2028~~ 2038.

(4) Money remaining in the water adjudication account on June 30, ~~2028~~ 2038, must be transferred to the water right appropriation account provided for in 85-2-318.

~~(5) If the accountability benchmarks contained in 85-2-271 are not met, expenditures from the account in the previous biennium may not be included in the department's base budget, as defined in 17-7-102, for the current biennium.~~ (Terminates June 30, ~~2028~~ 2038~~--secs. 10, 11, Ch. 269, L. 2015~~.)"

Section 2. Section 18, Chapter 288, Laws of 2005, is amended to read:

"**Section 18. Termination.** (1) Except as provided in subsection (2), [this act] ~~[This act]~~ terminates June 30, ~~2020~~ 2028.

(2) [Section 1 and sections 7 through 9] and this section terminate June 30, 2038."

Section 3. Section 11, Chapter 319, Laws of 2007, is amended to read:

"**Section 11. Termination.** (1) [Sections 2 ~~through 5~~ and ~~7~~ 4] terminate June 30, ~~2020~~ 2028.

(2) [Sections 3, 5, and 7] terminate June 30, 2038."

Section 4. Section 10, Chapter 269, Laws of 2015, is amended to read:

"**Section 10.** Section 18, Chapter 288, Laws of 2005, is amended to read:

"**Section 18. Termination.** (1) Except as provided in subsection (2), [this act] ~~[This act]~~ terminates June 30, ~~2020~~ 2028.

(2) [Section 1 and sections 7 through 9] and this section terminate June 30, 2038.""

Section 5. Section 11, Chapter 269, Laws of 2015, is amended to read:

"**Section 11.** Section 11, Chapter 319, Laws of 2007, is amended to read:

"**Section 11. Termination.** (1) [Sections 2 ~~through 5~~ and ~~7~~ 4] terminate June 30, ~~2020~~ 2028.

(2) [Sections 3, 5, and 7] terminate June 30, 2038.""

NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2027.

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