HOUSE BILL NO. 20

INTRODUCED BY S. KLAKKEN

BY REQUEST OF THE LOCAL GOVERNMENT INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: “AN ACT PROVIDING A STATUTORY APPROPRIATION TO THE DEPARTMENT OF JUSTICE FOR THE STATEWIDE PUBLIC SAFETY COMMUNICATIONS SYSTEM; PROVIDING FOR A TRANSFER OF FUNDS; AMENDING SECTIONS 17-7-502 AND 44-4-1607, MCA; AND PROVIDING AN EFFECTIVE DATE.”

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

Section 1. 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; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-316; 10-3-802; 10-4-304; 10-4-310; 15-1-121; 15-1-218; 15-6-407; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 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; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-6-214; 17-7-133; 17-7-215; 18-5-417; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 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; 20-3-369; 20-7-1709; 20-8-107; 20-9-250; 20-9-516; 20-9-622; 20-15-328; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 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; 33-22-1321; 37-1-125; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-4-1506; 44-4-1607; 44-12-213; 44-13-102; 53-1-109; 53-6-148; [53-6-152]; 53-9-113; 53-24-108; 53-24-206; 60-5-530; 60-11-115; 61-3-321; 61-3-415; 61-3-416; 67-1-309; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-11-708; 75-26-308; 76-13-150; 76-13-151; 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; 81-1-113; 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; 87-1-627; 87-5-909; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and any costs or fees associated with issuing, paying, securing, redeeming, or defeasing all bonds, notes, or other obligations, as due in the ordinary course or when earlier called for redemption or defeased, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 1, 2, 3, Ch. 139, L. 2021, the inclusion of 53-9-113 terminates June 30, 2027; pursuant to sec. 8, Ch. 200, L. 2021, the inclusion of 10-4-310 terminates July 1, 2031; pursuant to secs. 3, 4, Ch. 404, L. 2021, the inclusion of 30-10-1004 terminates June 30, 2027; pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is effective July 1, 2027; pursuant to 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, 81-1-113, and 81-7-106 terminates June 30, 2029; pursuant to sec. 2, Ch. 374, L. 2023, the inclusion of 10-3-802 terminates June 30, 2031; pursuant to sec. 12, Ch. 558, L. 2023, the inclusion of 20-9-250 terminates December 31, 2029; pursuant to sec. 4, Ch. 621, L. 2023, the inclusion of

22-1-327 terminates July 1, 2029; pursuant to sec. 24, Ch. 722, L. 2023, the inclusion of 17-7-133 terminates June 30, 2027; pursuant to sec. 5, Ch. 129, L. 2025, the inclusion of 37-1-125 terminates June 30, 2031; pursuant to sec. 1, Ch. 181, L. 2025, and sec. 3, Ch. 181, L. 2025, the inclusion of 90-6-331 terminates June 30, 2035; pursuant to sec. 19, Ch. 420, L. 2025, the inclusion of 53-6-152 is effective on occurrence of contingency; pursuant to sec. 20, Ch. 420, L. 2025, the inclusion of 53-6-152 is void on occurrence of contingency; pursuant to sec. 21, Ch. 420, L. 2025, the inclusion of 53-6-152 terminates June 30, 2033; and pursuant to sec. 5, Ch. 645, L. 2025, the inclusion of 33-22-1321 terminates June 30, 2031.)"

Section 2. Section 44-4-1607, MCA, is amended to read:

"**44-4-1607. Statewide public safety communications system account.** (1) There is an account in the state special revenue fund established in 17-2-102 to be known as the statewide public safety communications system account.

(2) Money deposited in the account established in subsection (1) is statutorily appropriated, as provided in 17-7-502, to the department of justice.

~~(2)~~ (3) There must be deposited in the account:

(a) money received from legislative allocations and general fund transfers;

(b) a transfer of money from a state or local agency for the purposes of this part;

(c) rates, charges, or fees collected by the department in accordance with 44-4-1606(3)(h);

(d) funds accepted in accordance with 44-4-1606(3)(i) and (3)(j); and

(e) a gift, donation, grant, legacy, bequest, or devise made for the purposes of this part.

~~(3)~~ (4) There is an account in the federal special revenue fund established in 17-2-102 to be known as the statewide public safety communications system account. There must be deposited in the account money received from the federal government for the purposes of this part.

(5) For the fiscal year beginning July 1, 2027, there is transferred $5.33 million from the state general fund to the state special revenue account provided for in this section.

~~(4)~~ (6) For each fiscal year beginning July 1, ~~2019~~ 2028, and ending June 30, ~~2023~~ 2035, there is transferred ~~$3.75~~ $5.23 million from the state general fund to the state special revenue account provided for in this section.

(7) The account established in subsection (1) must retain interest earned from the investment of money in the account.

~~(5)~~ (8) Funds in either account created in this section must be used by the department for the purposes of this part."

NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2027.

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