

BY REQUEST OF THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE

5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A MONTANA RAIL INSPECTION PROGRAM;
6 ESTABLISHING A MONTANA RAIL INSPECTION SPECIAL REVENUE ACCOUNT; PROVIDING A
7 STATUTORY APPROPRIATION; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING
8 RULEMAKING AUTHORITY; AMENDING SECTIONS 15-23-215, 17-7-502, AND 69-14-111, MCA; AND
9 PROVIDING AN EFFECTIVE DATE **AND A TERMINATION DATE.**"

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

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

14 **"15-23-215. Deposit of taxes.** (1) All Except as provided in subsection (2), all taxes, penalties, and
15 interest collected by the department of revenue under 15-23-211 through 15-23-216 must be deposited in the
16 general fund.

(2) Eight percent of all money collected as described in subsection (1) must be deposited in the Montana rail inspection account established in [section 4]."

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

21 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
22 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without
23 the need for a biennial legislative appropriation or budget amendment.

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

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

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

1 (ii) two railroad track inspectors;
2 (iii) one operating practice inspector; and
3 (iv) additional staff needed to administer the program; and
4 (e)(d) may participate in investigative and surveillance activities in accordance with 49 U.S.C. 20105."
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6 **NEW SECTION. Section 4. Montana rail inspection account -- use -- reporting requirement --**

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

9 (2) There must be deposited in the account money received from taxes on railroad car company
10 property pursuant to 15-23-215(2).

11 (3) Money deposited in the account is statutorily appropriated, as provided in 17-7-502, to the
12 department of public service regulation and may be used only for the development, operation, and improvement
13 of the Montana rail inspection program provided for in 69-14-111(2)(c).

14 (4) By September 1 of each even-numbered year, the commission shall report to the energy and
15 telecommunications interim committee in accordance with 5-11-210 on the status of rail inspection safety in
16 Montana as it pertains to 69-14-111, including policy and funding recommendations necessary to enhance rail
17 safety.

18 (5) The commission may adopt rules to implement the Montana rail inspection program provided
19 for in 69-14-111(2)(c).

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

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

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26 **NEW SECTION. Section 7. Termination.** [This act] terminates June 30, 2033.

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