

## HOUSE BILL NO. 757

INTRODUCED BY J. FITZPATRICK, M. VINTON, S. ROSENZWEIG, J. KASSMIER, E. BOLDMAN, J. ESP, P.

TUSS

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING CULTURAL AND AESTHETIC PROJECTS GRANTS; PROVIDING CRITERIA BY WHICH THE CULTURAL AND AESTHETIC PROJECTS ADVISORY COMMITTEE SHALL PRIORITIZE APPLICATIONS FOR GRANTS; PROVIDING AN EXCEPTION ON THE REQUIREMENT TO OBTAIN A FEDERAL SYSTEM FOR AWARD MANAGEMENT NUMBER; AND AMENDING SECTION 22-2-302, MCA."

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

**NEW SECTION. Section 1. Prioritization of cultural and aesthetic projects grant awards --**

**criteria.** After the cultural and aesthetic projects advisory committee provided for in 2-15-1521 has reviewed the applications to ensure compliance and determine whether the application meets the committee's criteria for funding, the committee shall rank the projects by two criteria as follows:

(1) the status of an applicant's previous grant awards, for which:

(a) first priority will be given to qualified applicants who have not previously received an award;

(b) second priority will be given to applicants who have received one grant award in the previous three funding cycles;

(c) third priority will be given to applicants who have received two grant awards in the previous three funding cycles; and

(d) fourth priority will be given to applicants who have received three grant awards in the previous three funding cycles; and

(2) the size of an applicant's annual operating budget, for which:

(a) first priority will be given to applicants whose total annual operating budget is less than \$99,999;

(b) second priority will be given to applicants whose total annual operating budget ranges between

1     \$100,000 and \$249,999;

2 (c) third priority will be given to applicants whose total annual operating budget ranges between  
3 \$250,000 and \$499,999; and

4 (d) fourth priority will be given to applicants whose total annual operating budget is equal to or  
5 greater than \$500,000.

6           (3)       Between each funding cycle, the committee, in consultation with the budget director, shall  
7       increase the budget limits established in subsection (2) to account for inflation.

9                    NEW SECTION. **Section 2. Acquisition of federal system for award management number.** Grant  
10    applicants for a cultural or aesthetic project whose total program budget does not exceed \$100,000 and who do  
11    not receive or use federal funds to operate may request a waiver from the committee for the requirement to  
12    obtain a federal system for award management number, or SAMs number, if complying with the requirement  
13    would be burdensome. The committee may not unreasonably withhold the waiver.

15           **Section 3.** Section 22-2-302, MCA, is amended to read:

16                   **"22-2-302. Advisory committee -- powers and duties.** (1) The Subject to [section 1], the cultural  
17   and aesthetic projects advisory committee provided for in 2-15-1521 shall review all proposals for cultural and  
18   aesthetic project grants before they are submitted to the legislature.

19           (2)       Consistent with the rules adopted in accordance with 22-2-303, the committee shall make  
20       recommendations to the legislature on each proposal submitted to the committee.

21           (3)       The committee's recommendations to the legislature are advisory only.

22 (4) The committee shall present its recommendations to the appropriations committee of the  
23 legislature by the 15th day of any regular legislative session."

25            NEW SECTION. Section 4.    **Codification instruction.** [Sections 1 and 2] are intended to be codified  
26    as an integral part of Title 22, chapter 2, part 3, and the provisions of Title 22, chapter 2, part 3, apply to  
27    [sections 1 and 2].

28 - END -