

Amendment - 2nd Reading-yellow - Requested by: Lukas Schubert - (H) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Rachel Weiss,

HB0840.001.002

HOUSE BILL NO. 840

INTRODUCED BY L. SCHUBERT, T. SHARP, T. MILLETT, C. COCHRAN, L. DEMING, N. DURAM, C.

HINKLE, J. HINKLE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A JUDICIAL BRANCH INDEPENDENCE

INVESTIGATION COMMITTEE; PROVIDING DUTIES AND MEMBERS; TEMPORARILY SUSPENDING THE

TRANSPORTATION INTERIM COMMITTEE FOR THE 2027 AND 2029 BIENNIUMS; TEMPORARILY

TRANSFERRING THE TRANSPORTATION INTERIM COMMITTEE'S DUTIES TO THE REVENUE INTERIM

COMMITTEE; AMENDING SECTIONS 5-5-227 AND 5-5-223, MCA; PROVIDING APPROPRIATIONS;

PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN EFFECTIVE DATE AND A

TERMINATION DATE."

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

NEW SECTION. **Section 1. Judicial branch independence investigation committee.** (1) (a) There is a committee to investigate district court judges and supreme court justices to determine their independence and the quality of their rulings and to disseminate this information. The committee may establish standards to determine the sufficiency of rulings and measurements as needed.

(2) The committee consists of nine legislators appointed as follows:

(a) five members of the house of representatives appointed by the speaker of the house; and

(b) four members of the senate appointed by the president of the senate.

(3) The appointments must be made within 30 days of [the effective date of this act]. A vacancy on the committee must be filled in the same manner as the original appointment.

(4) The committee shall elect a presiding officer and a vice presiding officer.

(5) The committee shall report its findings to the law and justice interim committee and disseminate information broadly by any means the committee determines effective and within the limits of its budget.

(6) The committee may contract to perform the investigation and evaluation processes required by

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1 this section. The legislative services division shall provide staff services to the committee.

2 (7) A committee member is entitled to salary and expenses as provided in 5-2-302.

3 (8) The committee shall complete its work by September 15, 2028, but may not meet when the
4 legislature is meeting in a regular session.

5
6 **NEW SECTION. Section 2. Temporary suspension of transportation interim committee.** (1) The
7 transportation interim committee established in 5-5-223 is suspended, and may not meet, from July 1, 2025,
8 through June 30, 2029.

9 (2) The revenue interim committee shall perform the statutory duties listed in 5-5-215 for the
10 transportation interim committee between July 1, 2025, and June 30, 2029, including receiving all reports
11 required by statute to be delivered to the transportation interim committee.

12
13 **Section 3.** Section 5-5-227, MCA, is amended to read:

14 **"5-5-227. Revenue interim committee -- powers and duties -- revenue estimating and use of**
15 **estimates.** (1) The revenue interim committee has administrative rule review, draft legislation review, program
16 evaluation, and monitoring functions for the Montana tax appeal board established in 2-15-1015 and for the
17 department of revenue and the entities attached to the department for administrative purposes, except the
18 divisions of the department that administer the Montana Alcoholic Beverage Code and the Montana Marijuana
19 Regulation and Taxation Act.

20 (2) (a) The committee must have prepared by December 1 for introduction during each regular
21 session of the legislature in which a revenue bill is under consideration an estimate of the amount of revenue
22 projected to be available for legislative appropriation.

23 (b) The committee may prepare for introduction during a special session of the legislature in which
24 a revenue bill or an appropriation bill is under consideration an estimate of the amount of projected revenue.
25 The revenue estimate is considered a subject specified in the call of a special session under 5-3-101.

26 (3) The committee's estimate, as introduced in the legislature, constitutes the legislature's current
27 revenue estimate until amended or until final adoption of the estimate by both houses. It is intended that the

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legislature's estimates and the assumptions underlying the estimates will be used by all agencies with responsibilities for estimating revenue or costs, including the preparation of fiscal notes.

(4) The legislative services division shall provide staff assistance to the committee. The committee may request the assistance of the staffs of the office of the legislative fiscal analyst, the legislative auditor, the department of revenue, and any other agency that has information regarding any of the tax or revenue bases of the state.

(5) The committee shall review tax credits as provided in 15-30-2303.

(6) The committee shall perform the statutory duties listed in 5-5-215 for the transportation interim committee between July 1, 2025, and June 30, 2029."

Section 4. Section 5-5-233, MCA, is amended to read:

"5-5-233. Transportation interim committee. (1) The transportation interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the department of transportation, the motor vehicle division of the department of justice, and the entities attached to the department of transportation for administrative purposes.

(2) The committee is suspended, and may not meet, from July 1, 2025, through June 30, 2029."

NEW SECTION. Section 5. Appropriation. (1) There is appropriated from the general fund to the legislative services division:

(a) \$400,000 for the biennium ending June 30, 2027, for the purposes of conducting the work required by [section 1]; and

(b) \$73,000 for the biennium ending June 30, 2027, for the purposes of reimbursing the members as provided in [section 1(7)].

(2) The appropriations in subsection (1) are authorized to continue in the biennium beginning July 1, 2027.

NEW SECTION. Section 6. Contingent voidness. (1) Pursuant to Joint Rule 40-65, if [this act] does

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1 not include an appropriation prior to being transmitted to the governor, then [this act] is void.

2 (2) If the appropriation in [section 2] is vetoed and the veto is not overridden, then [this act] is void.

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4 NEW SECTION. **Section 7. Effective date.** [This act] is effective July 1, 2025.

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6 NEW SECTION. **Section 8. Termination.** [This act] terminates December 31, 2028.

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