

Amendment - 1st Reading-white - Requested by: Luke Muszkiewicz - (H) Appropriations

- 2025

69th Legislature 2025

Drafter: Julie Johnson,

HB0848.002.003

1 HOUSE BILL NO. 848

2 INTRODUCED BY D. BAUM, M. DUNWELL, S. MORIGEAU, D. FERN, C. POPE, D. HARVEY, E. BUTTREY,
3 E. BYRNE, B. CARTER, B. CLOSE, J. ISALY, D. JOY, K. KORTUM, M. MARLER, E. MATTHEWS, R. MINER,
4 L. MUSZKIEWICZ, G. PARRY, J. REAVIS, J. SECKINGER, P. STRAND, P. TUSS, J. WEBER, Z. WIRTH, Z.

5 ZEPHYR

6
7 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FUNDING FOR REGIONAL RAIL AUTHORITIES;
8 ~~PROVIDING THAT A PORTION OF RENTAL CAR SALES AND USE THE RAILROAD CAR TAX IS~~
9 ~~DISTRIBUTED TO REGIONAL RAIL AUTHORITIES;~~ PROVIDING PURPOSES FOR WHICH REGIONAL RAIL
10 AUTHORITIES MAY USE THE FUNDING; PROVIDING A STATUTORY APPROPRIATION; PROVIDING FOR
11 A FUND TRANSFER; AMENDING SECTIONS ~~15-65-121, 15-68-820, 17-7-502, 22-3-1303, 22-3-1304, AND~~
12 ~~22-3-1307~~ 7-14-1624, 15-23-215, AND 17-7-502, MCA; AND PROVIDING AN EFFECTIVE DATE AND A
13 TERMINATION DATE."

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16
17 (Refer to Introduced Bill)

18 Strike everything after the enacting clause and insert:

19
20 NEW SECTION. Section 1. Big sky rail account. (1) There is a big sky rail account in the state
21 special revenue fund established in 17-2-102. The account consists of money ~~deposited in the account~~
22 ~~pursuant to 15-23-215~~ transferred into the account.

23 (2) The money in the account is statutorily appropriated, as provided in 17-7-502, to the
24 department of transportation.

25 (3) The department of transportation shall annually distribute by August 1 money in the account to
26 regional rail authorities established pursuant to 7-14-1621 before January 1, 2025. A regional rail authority shall
27 use the money for the purposes provided for in 7-14-1624(2).
28

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1 or offsite rental car locations; and

2 (v) developing energy production and distribution facilities and services for transportation and
3 related purposes."

4

5 **Section 3.** ~~Section 15-23-215, MCA, is amended to read:~~

6 ~~"15-23-215. **Deposit of taxes.** (1) All Except as provided in subsection (2), all taxes, penalties, and~~
7 ~~interest collected by the department of revenue under 15-23-211 through 15-23-216 must be deposited in the~~
8 ~~general fund.~~

9 ~~(2) The first \$2 million of taxes, penalties, and interest collected annually must be deposited in the~~
10 ~~account provided for in [section 1]."~~

11

12 **Section 3.** Section 17-7-502, MCA, is amended to read:

13 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory

14 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without
15 the need for a biennial legislative appropriation or budget amendment.

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

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

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

21 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-
22 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-
23 807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-316; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121;
24 15-1-142; 15-1-143; 15-1-218; 15-1-2302; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-
25 117; 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-
26 3-212; 17-3-222; 17-3-241; 17-6-101; 17-6-214; 17-7-133; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-410;
27 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-
28 369; 20-7-1709; 20-8-107; 20-9-250; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-

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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. 9, Ch. 44, L. 2023, the inclusion of 15-1-142 terminates December 31, 2025; pursuant to sec. 10, Ch. 47, L. 2023, the inclusion of 15-1-2302 terminates June 30, 2025; 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. 10, Ch. 758, L. 2023, the inclusion of 44-4-1506 terminates June 30, 2027; and pursuant to sec. 10, Ch. 764, L. 2023, the inclusion of 15-1-143 terminates December 31, 2025.)"

NEW SECTION. Section 4. Transfer of funds. By June 30, 2025, the state treasurer shall transfer \$2 million from the capital developments long-range building program account provided for in 17-7-209 to the account provided for in [section 1].

NEW SECTION. Section 5. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 60, chapter 11, part 1, and the provisions of Title 60, chapter 11, part 1, apply to [section 1].

NEW SECTION. Section 6. Effective date. [This act] is effective ~~July 1, 2025~~ June 15, 2025.

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

- END -