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

13 **NEW SECTION. Section 1. Definitions.** For the purposes of [sections 1 through 8], unless otherwise
14 provided, the following definitions apply:

15 (1) "Local government" means a county, city, town, township, school district, TRIBAL GOVERNMENT,
16 or other district or local public entity with the authority to spend or receive public funds.

17 (2) "Nonprofit organization" means a nonprofit corporation exempt from taxation under the
18 provisions of section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. 501(c)(3).

19 (3) (a) "Public swimming pool" means an artificial pool and related appurtenances for swimming,
20 bathing, wading, or other aquatic therapy or recreation, including but not limited to natural hot water pools,
21 spas, splash decks, water slides, lazy rivers, and wave pools.

22 (b) The term does not include:

23 (i) swimming pools located on private property, including the private common area property of
24 owner-occupied condominium developments, used for swimming or bathing only by the owner, members of the
25 owner's family, or their invited guests; or

26 (ii) medicinal hot water baths for individual use.

1 **NEW SECTION. Section 2. Public swimming pool infrastructure account -- use.** (1) There is a
2 public swimming pool infrastructure account within the state special revenue fund provided for in 17-2-102 to
3 provide grant funding to nonprofit organizations and local governments that operate public swimming pools and
4 for administrative costs related to administering the grants. The department of commerce shall administer the
5 account.

6 (2) ~~Up to 3% of the funds appropriated in [section 8] may be allocated for the department of~~
7 ~~commerce's administrative costs.~~

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9 **NEW SECTION. Section 3. Public swimming pool infrastructure grants authorization.** (1) The
10 department of commerce is authorized to make up to \$5 million in grants to nonprofit organizations and local
11 governments for property acquisition, construction, space acquisition, remodeling, repairs, ~~and~~ the purchase of
12 appliances and equipment, and operational costs related to a public swimming pool. Grant funding used for
13 operational costs is limited to paying for operational costs, including but not limited to staffing, utilities, and
14 insurance, for up to 1 year within the first 5 years of operation of the public swimming pool. The grants
15 authorized in this section are subject to the conditions set forth in [section 5].

16 (2) The department of commerce shall receive proposals from nonprofit organizations and local
17 governments for public swimming pool infrastructure projects.

18 (3) Funding for projects may be provided only as long as there are sufficient funds available from
19 the amount that was deposited or transferred in the public swimming pool infrastructure account for grants
20 established in [section 2]. Funding for these projects must be made available in the order that the grant
21 recipients satisfy the conditions as described in [section 5].

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23 **NEW SECTION. Section 4. Eligibility -- submission deadline -- priority -- guidelines.** (1) A
24 nonprofit organization or local government may apply to the department of commerce for public swimming
25 pools infrastructure grants under [section 3].

26 (2) Nonprofit organizations and local governments shall submit grant applications to the
27 department of commerce in order to be eligible for funding under [section 3].