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

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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.

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2 **NEW SECTION. Section 5. Condition of grants -- disbursement of funds.** (1) The disbursement of
3 grant funds for the projects chosen by the department of commerce pursuant to [section 3] is subject to the
4 following conditions:

5 (a) for grants in an amount of \$25,000 or more, the grant recipient shall document the availability
6 of matching funds or in-kind contribution of assets with an appraised value from private sources representing at

7 least \$1 in value for each ~~\$5~~\$2 of the grant;

8 (b) the grant recipient shall execute a grant agreement with the department of commerce that
9 includes a project management plan and reporting requirements to track the outcomes of allocated grants; and

10 (c) the grant recipient shall satisfy other specific requirements considered necessary by the
11 department of commerce to accomplish the purpose of the project as evidenced by the application to the
12 department of commerce.

13 (2) Projects must adhere to the design standards required by applicable regulations. Recipients of
14 program funds for projects that are not subject to any design standards must comply with generally accepted
15 industry standards.

16 (3) If actual project expenses are lower than the projected expense of the project, the department
17 of commerce shall reduce the amount of grant funds to be provided to grant recipients.

19 **NEW SECTION. Section 6. Maximum state funding available -- for each project -- for each**

20 **county.** (1) The amount of state funding allocated to entities within an individual county under [sections 3
21 through 5] may not exceed \$1 million. No more than two applications may be funded in any one county.

22 (2) The amount of a grant to a single project may not exceed \$500,000.

24 **NEW SECTION. Section 7. Transfer of funds.** By July 15, 2025, the state treasurer shall transfer \$5
25 million from the ~~general fund~~ CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT PROVIDED FOR IN
26 17-7-209 to the public swimming pool infrastructure account established in [section 2].