

Amendment - 2nd Reading/2nd House-tan - Requested by: Forrest Mandeville - (S)
Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Casey Pallister,

HB0848.003.001

HOUSE BILL NO. 848

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

ZEPHYR

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

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

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

(a) \$50,000 from each local government entity that is a member of a regional rail authority
established pursuant to 7-14-1621, payable on or before January 1 of each year; and

(b) except for the requirements under subsection (1)(a), any other monetary contributions, gifts, or
grants given to the account from a local government, individual, or person. The deposits made under this
subsection (1)(b) are not subject to refund.

(2) The money in the account is statutorily appropriated, as provided in 17-7-502, to the

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1 department of transportation.

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

5

6 **Section 2.** Section 7-14-1624, MCA, is amended to read:

7 **"7-14-1624. General powers of authority.** (1) An authority has all the powers necessary to carry out
8 the purposes of this part, including but not limited to the power to:

9 (1)(a) sue and be sued, have a seal, and have perpetual succession;

10 (2)(b) execute contracts and other instruments and take other action as may be necessary to carry
11 out the purposes of this part;

12 (3)(c) receive and disburse federal, state, and other funds, public or private, made available by grant,
13 loan, contribution, tax levy, or other source to accomplish the purposes of this part. Federal money accepted
14 under this section must be accepted and spent by the authority upon terms and conditions prescribed by the
15 United States and consistent with state law. All state money accepted under this section must be accepted and
16 spent by the authority upon terms and conditions prescribed by the state.

17 (4)(d) sell, lease, or otherwise dispose of real or personal property acquired pursuant to this part. The
18 disposal must be in accordance with the laws of this state governing the disposition of other public property.

19 (2) An authority shall use money distributed pursuant to [section 1] for:

20 (a) administration of the rail authority;

21 (b) matching grants;

22 (c) development of cooperative relationships with the federal government, other states, Canadian
23 provinces, railroads, and other parties to advance the purposes in subsection (2)(d); and

24 (d) to advance plan, design, develop, implement, and operate rail projects and services throughout
25 and connecting beyond the state, including but not limited to:

26 (i) enhancing the safety and performance of passenger and freight rail services and infrastructure;

27 (ii) providing coordinated transportation connections among train stations, airports, roads, streets,

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1 and highways and transit systems:

2 (iii) creating and improving passenger stations and related facilities, fostering compatible

3 development around passenger stations, and increasing connecting services from locations with stops on

4 existing or future passenger rail services operating within or through the state; AND

5 (iv) planning, developing, or expanding transit and rental car facilities and related services at train

6 stations, destinations, and other locations that provide connecting services for rail passengers, such as airports

7 or offsite rental car locations ; and

8 (v) developing energy production and distribution facilities and services for transportation and

9 related purposes."

10

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

12 **~~"15-23-215. Deposit of taxes. (1) All Except as provided in subsection (2), all taxes, penalties, and~~**

13 **~~interest collected by the department of revenue under 15-23-211 through 15-23-216 must be deposited in the~~**

14 **~~general fund.~~**

15 **~~(2) The first \$2 million of taxes, penalties, and interest collected annually must be deposited in the~~**

16 **~~account provided for in [section 1]."~~**

17

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

19 **"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory**

20 **appropriation is an appropriation made by permanent law that authorizes spending by a state agency without**

21 **the need for a biennial legislative appropriation or budget amendment.**

22 **(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with**

23 **both of the following provisions:**

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

25 **(b) The law or portion of the law making a statutory appropriation must specifically state that a**

26 **statutory appropriation is made as provided in this section.**

27 **(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-**