



AN ACT REVISING NONPROFIT CORPORATION AND CHARITABLE TRUST LAWS; AND PROHIBITING STATE AGENCIES OR STATE OFFICIALS FROM IMPOSING REQUIREMENTS NOT AUTHORIZED BY LAW.

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

Section 1. Limit on nonprofit corporation requirements. (1) Except as provided in subsection (2), a state agency or state official may not impose any annual filing or reporting requirements on a any nonprofit corporation with tax-exempt status pursuant to 26 U.S.C. 501(c)(3), as of February 21, 2023, that are more stringent, restrictive, or expansive than the requirements authorized under Montana law.

(2) Subsection (1) does not apply to state grants and contracts, fraud investigations, or enforcement actions against specific nonprofit corporations.

Section 2. Limit on charitable trust requirement. (1) Except as provided in subsections (2) and (3), a state agency or state official may not impose any annual filing or reporting requirements on a charitable trust that are more stringent, restrictive, or expansive than the requirements authorized under Montana law.

(2) Subsection (1) does not apply to state grants and contracts, fraud investigations, or enforcement actions against specific charitable trusts.

(3) Subsection (1) may not be construed to impact the authority of the attorney general to act as a qualified beneficiary for a charitable trust pursuant to 72-38-221.

Section 3. Codification instruction. (1) [Section 1] is intended to be codified as an integral part of Title 35, chapter 2, and the provisions of Title 35, chapter 2, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 72, and the provisions of Title

72 apply to [section 2].

- END -

I hereby certify that the within bill,
SB 307, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2023.

Speaker of the House

Signed this _____ day
of _____, 2023.

SENATE BILL NO. 307

INTRODUCED BY M. NOLAND

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