Legislation* Enacted in 2015 and of Interest to the Economic Affairs Interim Committee:

*Related to Agriculture, Alcohol, Banking, Business, Consumer Protection, Finance/Economic Development, Housing/Landlord-Tenant, Insurance, Livestock, and Workers' Compensation

AGRICULTURE

Bill No.	Title	Effective	Dept./ Comte Bill
<u>HB 56</u>	Revises subdivision classifications for agricultural land valuation and identifies certain family-owned land as eligible for agricultural valuation.	February 17, 2015	Dept. of Revenue
<u>HB 91</u>	Standardizes per diem for all agricultural boards and committees uses the up to \$50 limit of 2-15-122, MCA	February 18, 2015	Dept. of Ag bill
<u>HB 105</u>	Authorizes Ag Department to provide and set fees for analytical lab services. New language	February 18, 2015	Dept. of Ag bill
HB 108	Revises noxious weed budget laws. Limits noxious weed oversight costs to 12% of amount awarded on noxious weed grants and contracts in previous fiscal year.	February 18, 2015	Dept. of Ag bill
<u>HB 109</u>	Allows Department of Agriculture to provide plant sampling services in disputes at request of either party.	October 1, 2015	Dept. of Ag bill
<u>HB 122</u>	Clarifies the requirements for Ag employee wage withholding by defining agricultural labor in T 15, ch 30.	February 18, 2015	Dept. of Revenue
<u>HB 265</u>	Allows use of alfalfa seed assessments, grants, and gifts for the alfalfa leaf-cutting bee program.	July 1, 2015	
<u>HB 390</u>	Revises agricultural commodity committee laws. Defines creation of commodity committees. Allows referendum vote for assessment.	March 31, 2015	
HB 478	Implements changes in Montana's food retail sales laws (includes honey as a raw agricultural commodity) Most of changes revise how retail food establishments operate.	October 1, 2015	
<u>HB 525</u>	Revises aquatic invasive species funding laws to create a trust fund and grant account. Affects Dept. of Natural Resources primarily but also the Dept. of Agriculture, especially in emergency situations.	July 1, 2015	

HB 553	Revises laws related to aquatic invasive species to facilitate operations of check stations. Dept. of Agriculture among departments affected by law.	Oct. 1, 2015	
<u>HB 557</u>	Revise laws regarding legal fences; includes 3-wire electric fence as a legal fence.	April 17, 2015	
<u>SB 31</u>	Exempts raw honey from requiring a license for farmers' market sales	April 2, 2015	Requested by EAIC
<u>SB 62</u>	Revises the reporting and payment dates for per capita livestock fees. Reports to be filed by March 1. Payments due May 31 instead of November 1.	January 1, 2016	Dept. of Revenue
SB 78	Repeals laws related to the mint committee	July 1, 2015	Dept. of Ag bill
SB 255	Revises laws for advancing agricultural education	July 1, 2015	

ALCOHOL CONTROL

<u>HB 50</u>	Includes new license types (domestic distilleries, beer or wine importers, table wine distributors) under statute allowing Department of Revenue to investigate and carry out enforcement.	March 20, 2015	Dept. of Revenue
<u>HB 350</u>	Increases the number of liquor sales representatives allowed to a vendor. Allows vendor employees, owners, or officers to serve as representatives.	April 23, 2015	
<u>HB 506</u>	Allows microdistilleries to use their own employees and trucks to deliver products directly to a state agency liquor store. Provides for record-keeping and payments.	Various	
SB 193	Revises license tax on liquor and the method of determining commission sales in state agency liquor stores. Removes use of weighted average discount on sales. Phases in new commission based on sliding scale.	Various	

BANKING/FINANCE/SECURITIES

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<u>HB 66</u>	Revises banking laws relating to documents to be filed. Makes certain reports confidential.	October 1, 2015	Banking Division
<u>HB 121</u>	Extends the bond validating act to bonds issued and proceedings started prior to the effective date of 2/13/15.	February 13, 2015	
HB 208	Revises pawnbroker registration requirements	October 1, 2015	
<u>HB 225</u>	Revises funeral trust banking laws	October 1, 2015	
<u>HB 481</u>	Revises security transaction exemption laws to allow certain transactions such as crowd-funding.	July 1, 2015	
<u>HB 550</u>	Revise credit union laws	October 1, 2015	
<u>HB 554</u>	Revises securities multilevel marketing laws. Repeals multilevel marketing distribution registration statute and replaces with a required filing with the securities commissioner. Clarifies compensation-based exemptions.	October 1, 2015	
<u>SB 53</u>	Revises credit union laws regarding directors, operations	October 1, 2015	Banking Division
<u>SB 75</u>	Revises laws related to nondepository lenders, both deferred deposit lenders and consumer lenders.	October 1, 2015	Banking Division
<u>SB 98</u>	Revises Montana mortgage laws. Adds clarifications to definitions and activities related to entity control persons, mortgage brokers, loan originators, mortgage servicers, and loan processors or underwriters. Requires use of nationwide mortgage licensing system and registry forms. Requires branch offices to be within the United States or related territories.	October 1, 2015	Banking Division
<u>SB 113</u>	Generally revises Montana Board of Investment laws, allowing long-term investments of local government funds.	February 27, 2015	

BUSINESS/LABOR (Includes Gaming, Licensing Boards, Unemployment)

<u>HB 29</u>	Revises regulation and duties of real estate appraisers	October 1, 2015	Brd of Real Estate Appr's'rs
<u>HB 38</u>	Generally revises gaming laws, specifically describing types of social card games, allowing temporary operating authority, providing specific terms for Calcutta pools, and allowing sport tab games to cover a sports series.	Various	Dept. of Justice
<u>HB 44</u>	Revises license terms for Board of Public Accountants to create single license type of certified public accountant. Revises licensure and continuing education terms.	Various	Brd of Public Acc'ts
HB 63	Revise licensing/regulation of engineers/land surveyors. Provides definition of branch office, revises emeritus licensure.	February 12, 2015	Dept. of Labor / Industry
<u>HB 79</u>	Exempts plumber and electrician apprentices from licensure as well as certain students.	July 1, 2015	Brds of Plum'rs/ El'ctric'l
<u>HB 80</u>	Revises licensing board regulations for plumbers and electricians, including having a minimum voltage exemption before electrician licensure is required, providing a first-time warning under certain conditions, revising practical plumber's examination,	July 1, 2015	Brds of Plum'rs/ El'ctric'l
HB 81	Allows limited barbering license for barbers not using chemicals.	October 1, 2015	Brd of Barbers/ Cosmet.
<u>HB 83</u>	Repeals visitor information center-related law	March 17, 2015	Dept. of Com'rce
<u>HB 102</u>	Revises regulation of persons involved in real estate transactions, particularly asset management; revises definition of property manager; requires licensure in this state if properties are in this state; requires written agreements for brokers or salespersons.	April 9, 2015	Brd of Realty R'gulat'n

HB 110	Clarifies educational requirements for Board of Funeral Service.	October 1, 2015	Brd of Funeral Service
HB 115	Revises Board of Nursing laws to require of applicants and allow for renewing licensees submission of criminal background checks and expand the assistance program.	October 1, 2015	Brd of Nursing
HB 117	Allows Electrical Board and Boards of Plumbers and Realty Regulation to initiate contested case hearings for unlicensed practice by nonlicensees.	April 9, 2015	Dept. of Labor / Industry
<u>HB 147</u>	Adopts nurse licensure compact.	October 1, 2015	
<u>HB 184</u>	Exempts certified public accountants from regulation under Board of Private Security.	October 1, 2015	
<u>HB 223</u>	Revises costs of death certificates and provides for portion of sale to be used to fund Board of Funeral Service. Provides process for transferring excess funds to the general fund.	May 4, 2015. Terminates June 30, 2017.	
HB 244	Provides \$1 million for biennium to fund litigation protecting Montana products, including energy products, in interstate commerce	July 1, 2015	
<u>HB 258</u>	Authorize benefits corporations as an additional type of for-profit or nonprofit corporation.	October 1, 2015	
HB 259	Revises requirements regarding vehicle titles to allow auto dealers, wholesalers, and auctions to have ready access to vehicle title if actual title not on premises.	October 1, 2015	
HB 285	Revises definition of small establishment guest ranches and seasonal establishments to eliminate the minimum number of guests.	April 2, 2015	
HB 306	Revise unemployment insurance benefits from 10 weeks to 28 weeks for victims of domestic violence.	July 1, 2015	
HB 343	Prohibits an employer from requesting a job applicant or employee to provide online passwords or user names as a condition of hiring or employment. Defines social media.	April 23, 2015	

<u>HB 358</u>	Assigns licensed addiction counselors to the Board of Behavioral Health; provides for background checks prior	October 1, 2015	
	to licensure;		
<u>HB 396</u>	Removes termination date for laws allowing for small business impact analysis.	October 1, 2015	
HB 429	Authorizes participation in the Interstate Medical Licensure Compact for physicians. Requires governor to make appointment to the Interstate Commission.	October 1, 2015	
<u>HB 542</u>	Encourages tourism council to promote regional history museums.	April 27, 2015	
<u>HB 560</u>	Revises fund structure to an enterprise fund and provides statutory funding for Board of Public Accountants	Various	
<u>HB 577</u>	Requires licensure to take parimutuel bets in Montana.	October 1, 2015	
SB 22	Revises social work, professional counselor, marriage and family therapist laws. Changes board name to Board of Behavioral Health. Creates status of licensure candidate for social workers, professional counselors, and marriage and family therapists. Requires background checks for marriage and family therapists prior to licensure.	October 1, 2015	Brd of social workers, prof. couns'lrs and mar'iage /family th'rpists
<u>SB 35</u>	Eliminates certificate of existence requirements for out- of-state businesses	February 18, 2015	Sec. of State
SB 36	Revises foreign limited partnership filing laws	February 18, 2015	Sec. of State
<u>SB 39</u>	Revises patent and copyright trolling laws	April 2, 2015	Dept. of Justice
<u>SB 41</u>	Revises secretary of state business services laws, including business name and registration laws.	April 1, 2015	Sec. of State
<u>SB 70</u>	Revise qualifications for crane operators	July 1, 2015	Dept. of Labor / Industry

<u>SB 71</u>	Revise costs of boiler inspections	July 1, 2015	Dept. of Labor / Industry
<u>SB 76</u>	Revise administrative duties for licensing boards. Allows department to administratively suspend a license if continuing education credits not achieved, licensing fees are paid with insufficient funds, qualifications for licensure were unmet, and lack of compliance with order.	July 1, 2015	Dept. of Labor / Industry
<u>SB 77</u>	Revises laws related to the Board of Medical Examiners, including creating a resident physician license and removing other license types and providing rulemaking authority for telemedicine guidelines and short-term licensing. Updates some accreditation bodies.	July 1, 2015	Board of Med. Exm'nrs
SB 79	Clarifies how and for what period the Department of Labor and Industry is to set fees charged by licensing boards and by the department for administrative services provided to the boards. Removes cross-reference to the term "fees commensurate with costs" from a Department of Livestock statute.	July 1, 2015	Dept. of Labor / Industry
<u>SB 81</u>	Revises membership of boards of nursing, chiropractors, hearing aid dispensers, outfitters, and realty regulators.	Various	Dept. of Labor / Industry
<u>SB 85</u>	Revises unemployment insurance collections and integrity oversight laws. Includes processing costs as part of debt that may be collected either from employer or employee.	July 1, 2015 Retroactive applicability	Dept. of Labor / Industry
SB 104	Clarifies massage therapy licensing requirements.	October 1, 2015	Brd of Massage Therapy
SB 105	Revises unemployment insurance laws. Renames Board of Labor Appeals to Unemployment Insurance Appeals Board. Revises definition of employment. Revises wage adjustment period for benefit eligibility/credit/refund. Clarifies application of determination/redetermination requests and to what address notifications must be sent.	July 1, 2015	Dept. of Labor / Industry
<u>SB 117</u>	Revises Montana Rail Service Competition Council.	February 25, 2015	

SB 119	Adds company executives to list of those government or corporate executives who can petition, protest, or vote in certain elections affecting property owned by the respective entity.	October 1, 2015
SB 124	Requires certain boards to record and publish meetings in video or audio format, including Board of Investments, retirement boards, the Board of Public Education, and the Board of Regents.	July 1, 2015
<u>SB 135</u>	Extends overtime exemption to certain air carrier employees	March 5, 2015
SB 152	Extends sunset for outfitter assistants laws from August 31, 2015, to December 31, 2017.	March 27, 2015
<u>SB 164</u>	Revise definitions for risks of skiing to include practice or training for competitions or special events.	October 1, 2015
<u>SB 174</u>	Revises laws related to funds managed by cemetery association trustees.	April 1, 2015
<u>SB 181</u>	Requires Senate confirmation of Board of Outfitters	April 28, 2015
<u>SB 195</u>	Revises and extends employment protections for National Guard members of other states.	April 29, 2015
SB 196	Allows private sector to have veteran hiring preference	October 1, 2015
<u>SB 270</u>	Exempts seasonal nonprofit entities from paying minimum wage to employees in an organized camp, religious center, or educational conference center.	April 23, 2015
<u>SB 306</u>	Revises notary requirements. Allows for electronic attestations. Outlines duties for journal keeping.	Applies to notary acts on or after May 4, 2015
<u>SB 307</u>	Provides for recognition of tribally organized business entities as a "foreign" corporation or one not formed under laws of this state.	April 23, 2015

<u>SB 390</u>	Requires Economic Affairs Committee to study Department of Labor and Industry's fee structure for licensing boards.	Effective July 1, 2015 and ends December 31, 2016.	
SB 401	Revises professional boxing laws, including qualifications for contestants, regulation of events, and payment of event license fees. Repeals tax on gross receipts and bonding requirements.	July 1, 2015	
SB 405	Creates the Health and Economic Livelihood Partnership Act to expand health care coverage to lower income Montanans and to include a workforce development component managed by the Dept. of Labor and Industry.	Various	
HJR 29	Requests an interim study of membership-based health care services, including membership-based ambulance services.		

CONSUMER PROTECTION

<u>HB 74</u>	Requires data breach notices be sent by state agencies or companies to attorney general or by insurers to the insurance commissioner	October 1, 2015	Dept. of Justice
<u>HB 78</u>	Provides new consumer protections for privacy and disclosure related to motor vehicle telematics agreements. (More information under INSURANCE)	Applies to telematics agreements entered into on or after January 1, 2016.	State Auditor
HB 207	Extends privileged news media information to electronic communications services and prohibits governmental units from requiring disclosure without consent.	October 1, 2015	
<u>HB 232</u>	Increases penalty for identity theft of minor.	October 1, 2015	
<u>HB 470</u>	Allows guaranteed asset protection waivers to be included in the principal of any loans at the borrower's option.	April 27, 2015	

HB 478	Implements changes to Montana food safety laws and establishes minimal regulations for sales of cottage food products.	October 1, 2015	
SB 209	Regulates vehicle event data recorders and provides that ownership belongs to vehicle owner. Provides conditions for retrieval of information without consent of owner.	October 1, 2015	

ECONOMIC DEVELOPMENT

	TO DEVELOT MENT		
<u>HB 11</u>	Revises Treasure State Endowment Program laws. Outlines amounts awarded for water or wastewater projects in 27 cities, towns, or districts and 9 county bridge projects.	July 1, 2015	
<u>HB 83</u>	Repeal visitor information center-related law	March 17, 2015	Dept. of Comrce
<u>HB 252</u>	Allow Board of Research and Commercialization account to be used for more purposes beyond clean coal research or renewable resource research and development.	July 1, 2015	
<u>HB 289</u>	Revises zoning requirements for economic development districts.	October 1, 2015	
<u>SB 51</u>	Require sharing of debt offset and collection information by Dept of Revenue to Dept. of Commerce for grantmaking purposes.	February 27, 2015	Dept. of Com'rce
<u>SB 64</u>	Revise laws governing Montana Heritage Commission, related to economic stability.	October 1, 2015	EQC
SB 122	Provides incentives for ammunition manufacturers to locate in Montana, including property tax exemptions under certain conditions, tort liability coverage as provided under current statute 27-1-720, MCA, and an economic development grantmaking purposes.	May 6, 2015	
<u>SB 163</u>	Generally revises economic development laws related to the primary sector workforce development program. Creates loan account for appropriated funds that do not revert to the general fund.	February 27, 2015	

HOUSING/LANDLORD-TENANTS (Real Estate is under Business)

SB 384	Requires court order for certain no-contact notices between landlord and tenant.	October 1, 2015	
SB 385	Generally revises landlord-tenant laws, including providing definitions of guest and unauthorized persons. Revises the definition of tenant. Directs courts that grant a landlord's claim for possession to issue a writ.	October 1, 2015	

INSURANCE

HB 53	Allows property/casualty insurance companies to offer discounts to military or veterans, their spouses, and their dependent family members.	March 20, 2015	State Auditor
<u>HB 57</u>	Expands fines for violations of securities laws if fraud or deceit took advantage of a "vulnerable person" defined as someone at least 60 years old or having a mental impairment or a developmental disability.	February 18, 2015	State Auditor
<u>HB 78</u>	Provides new consumer protections for privacy and disclosure related to motor vehicle telematics agreements and allows motor vehicle insurers to offer discounts for telematics agreements. Clarifies that recorded data is personal information and that uses must be spelled out in the telematics agreement.	Applies to telematics agreements entered into on or after January 1, 2016.	State Auditor
<u>HB 94</u>	Expands surplus lines of insurance offerings to include natural disaster multi-peril insurance.	February 25, 2015	State Auditor
<u>HB 95</u>	Generally revises public adjuster laws and includes public adjusters in examination, other references.	March 30, 2015	State Auditor
HB 103	Revises duties of State Auditor's Office related to insurance and securities laws. Clears up references to Montana Comprehensive Health Association, which is to be dissolved with related statutes repealed. Expands the Guaranty Association to include excess workers' compensation insurers. Revises company action level risk-based capital multiplier. Fixes certain references, like certificate of authority.	Various	State Auditor
<u>HB 118</u>	Allows for electronic delivery of insurance notices or documents.	January 1, 2016	State Auditor

<u>HB 119</u>	Implements model acts and standards for accreditation developed by the National Association of Insurance Commissioners in areas related to risk management and retention, valuation, enterprise risks for holding company systems, and nonforfeiture. Proposes a format for the State Auditor to adopt a valuation manual for reserves. Grants State Auditor authority to oversee divestitures. Extends confidentiality over certain filed reports.	April 30, 2015, with retroactive sections applying to certain policies.	State Auditor
HB 240	Allows flat fee charges for surplus lines property or casualty insurance. Not signed by governor but became law.	July 1, 2015	
HB 318	Requires insurers, including state and school employee policies, to provide certain coverage for patients with Down syndrome.	Applies to policies on / after 1/1/16	
HB 324	Revises insurer issuance of creditable certification of coverage to a request of the covered person instead of mandatory issuance. Adds individual policies to statute.	April 10, 2015	
HB 375	Revise motor vehicle minimum liability insurance laws to require \$20,000 rather than \$10,000 coverage for property damage.	Applies to policies on / after 1/1/16	
<u>HB 503</u>	Requiring property/casualty loss information to be provided to policyholder on request, including loss reserve information for workers' compensation insurance. Limiting use and further disclosure of loss information.	April 23, 2015	
<u>HB 522</u>	Allows farm mutual insurer mergers and bulk assumption agreements.	October 1, 2015	
<u>HB 536</u>	Allows political subdivisions to form captive insurers.	April 10, 2015	
HB 537	Allows limited liability companies to transact captive insurance.	April 8, 2015	
SB 52	Revises captive insurance laws. Allows series of a limited liability company as eligible to form captive insurers. Sets minimum number of advisory members or directors for captive risk retention groups. Provides for prorating of tax if certain captive insurers surrender their certificate of authority.	April 28, 2015	State Auditor

SB 83	Revises a grievance process for health insurance policies and adds processes for internal and external review of grievances, including emergency reviews. Sets up independent review process for external reviews.	Applies to health coverage in effect on or after Jan. 1, 2016.	State Auditor
<u>SB 184</u>	Allows use of electronic proof of motor vehicle insurance	October 1, 2015	
<u>SB 192</u>	Includes speech-language pathologists, audiologists, and licensed addiction counselors among practitioners that are eligible for inclusion in health insurance policies.	April 28, 2015	
<u>SB 211</u>	Establishes a process for setting and appealing a maximum allowable cost list for prescription drugs as used by insurers or pharmacy benefit managers.	October 1, 2015	
SB 234	Reduces premium tax to 0.75% on net premiums issued by casualty insurers for policies of legal professional liability insurance and lowers to \$500 the license fee for those same casualty insurers.	April 30, 2015	
SB 350	Revises licensure conditions and prohibitions for health insurance exchange navigators.	October 1, 2015	

LIVESTOCK

HB 145	Creates livestock loss restricted state special revenue account to be used to reduce predation by wolves and grizzly bears on livestock and reduce expenses incurred by livestock owners in relation to predation.	July 1, 2015 Terminates June 30, 2021
<u>HB 194</u>	Requires forage analysis as part of management plan before wild bison may be released or transferred onto private or public land in Montana.	April 2, 2015
<u>HB 206</u>	Allows Grass Conservation Commission to meet in Montana at a place determined by presiding officer (rather than in Helena as previously required)	March 24, 2015
<u>HB 355</u>	Revise horse surrender process. Allows transfer at a mutually agreed place in addition to livestock market.	October 1, 2015
<u>HB 439</u>	Require audio or video recording of Board of Livestock meetings.	April 15, 2015

HB 629	Revises Board of Livestock laws to specify that the board may hire an executive officer who serves at the pleasure of the board. Provides an appropriation for legal consultation related to the executive officer's position.	Various	
<u>SB 19</u>	Revise livestock special deputy fund laws. Increases from 50 cents to \$1 the per capita fee if requested by the county or district livestock protective fee and approved by the board of county commissioners.	July 1, 2015	
SB 62	Revise the reporting dates for per capita livestock fees	January 1, 2016	Dept of Revenue
SB 100	Generally revise laws related to the regulation of feral hogs	PASSAGE & approval?	Dept of Livestock
<u>SB 108</u>	Clarify and revise Dept. of Livestock per capita fee calculation to exclude investment income in the calculation of 110% of the revenue generated by the per capita fee.	July 1, 2015	
<u>SB 183</u>	Revises milk licensing assessments to require monthly rather than quarterly payments and allowing reinstatement of revoked license upon payment of accrued assessments and a delinquency fee set by rule.	July 1, 2015	

WORKERS' COMPENSATION

<u>HB 90</u>	Revise workers' compensation laws	July 1, 2015	Dept of Labor/ Industry
HB 538	Allow Montana employers to obtain North Dakota workers' compensation coverage if their workers work only in North Dakota. Bill terminates June 30, 2019.	July 1, 2015	
<u>SB 4</u>	Authorizes temporary appointment in vacancy of workers' compensation judge	October 1, 2015	EAIC
SB 123	Provides regulatory authority of the State Auditor's Office for insurance purposes over Montana State Fund.	January 1, 2016	

<u>SB 258</u>	Revises workers' compensation laws related to definition of a religious employer for manufacturing and off-premises agricultural work. States that the definition is for administrative purposes and not to be otherwise construed as an employment relationship.	October 1, 2015
<u>SB 259</u>	Revises assessments for workers' compensation units in Department of Labor and Industry and occupational health and safety assessments. Separates the two assessments.	Most of act effective July 1, 2015. Transition not needed.
SB 347	Allows insurers to provide workers' compensation coverage to volunteer emergency medical technicians, nontransporting medical units, and certain ambulance services. Removes insurer approval language.	July 1, 2015
<u>SB 379</u>	Requires Montana State Fund to submit a report on its approved budget to the Economic Affairs Interim Committee.	April 27, 2015