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SUMMARY OF LEGISLATION

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MONTANA LEGISLATIVE SERVICES DIVISION
P.O. BOX 201706, HELENA, MT 59620-1706
(406) 444-3064

Contents

Introduction	4
Agriculture or Livestock Related Legislation	4
Alcohol or Gambling Related Legislation	5
Education Related Legislation	6
Accreditation/curriculum.....	6
At-risk Youth	7
School Facilities.....	7
School Governance	7
Higher Education.....	7
School Safety.....	9
School Finance	9
Employment Related Legislation	10
Energy and Telecommunications Related Legislation	11
Energy and Telecommunications Interim Committee Legislation.....	11
Utilities and Cooperatives.....	11
Energy Generation and Transmission	12
Telecommunications.....	12
Energy Taxation and Funding.....	12
Health and Human Services Related Legislation	13
Children, Families, Health, And Human Services Interim Committee	13
Children's Issues: Abuse/Neglect/Foster care/Child support	13
Developmental Disabilities	14
Health Care	14
Health Insurance	15
Medicaid/Healthy Montana Kids Plan	15
Mental Health/Substance Abuse	15
Public Health	16
Senior Citizens.....	16
Insurance Related Legislation	17
Law and Justice Related Legislation	18
Law and Justice Interim Committee	18

Civil Procedure	18
Corrections.....	18
Crimes And Criminal Procedures	19
Family Law, Minors	20
Courts, Judges And Justices, Juries And Jurors	21
Law Enforcement	22
Mental Illness or Incapacity	22
Privacy	23
Local Government Related Legislation	23
Natural Resource Related Legislation.....	26
EQC Responsibilities/Administration	26
Department of Environmental Quality	27
Department of Natural Resources and Conservation.....	27
Department of Fish, Wildlife, And Parks.....	27
Department of Agriculture.....	27
Fire and Forestry	28
Licensing and Hunting.....	28
Fish and Wildlife Management	29
Habitat	29
FWP Agency Administration	30
Recreation.....	30
State Lands.....	30
Mining	31
Permitting	31
Remediation.....	31
Land Use.....	31
Oil, Gas and Pipelines.....	32
State Administration and Veterans Affairs Related Legislation	32
Elections.....	32
Campaign Practices.....	33
General State Government.....	33
Public Employee Retirement	33
Teachers' Retirement.....	34

Military Affairs	34
Veterans.....	34
State-Tribal Relations Related Legislation.....	34
State Tribal Relations Committee Responsibilities	35
Crimes	35
Culture	35
Economic Development.....	35
Education	35
Fish and Wildlife.....	35
Health and Human Services	36
Infrastructure	36
Local Government.....	36
Taxes	36
Water	37
Tax Related Legislation	37
Revenue and Transportation Interim Committee	37
Administration	37
Individual Income and Corporate Income Taxes	37
Miscellaneous	38
Natural Resource Taxes	39
Property Tax.....	39
Tax Increment Financing.....	40
Transportation Related Legislation	40
Fuel Taxes.....	40
Miscellaneous	40
Oversize and Overweight Loads.....	41
Traffic Control and Safety	41
Water Policy Legislation.....	41
WPIC Bills	41
General Water Policy	42

Introduction

This document provides a summary of legislation passed and approved during the 2017 session of the Montana Legislature. It is organized by subject, and some legislation appears in more than one subject area, as many pieces of legislation can incorporate a range of subjects. The summary does not include the budget provisions of House Bill 2. A House Bill No. 2 narrative and information on the state's budget are available [HERE](#).

This compilation includes a concise and objective review of the change in the law included in legislation enacted by the Legislature. For more details on an individual piece of legislation, visit the Montana Legislature's bill information website. It is available [HERE](#). The website includes the full text of each bill, actions taken on the bill, and fiscal notes prepared for a bill. Montana's legislative research staff also prepare overviews of legislation for specific interim committees that include much more detail than this summary, and links to those reports and the respective interim committees are included throughout.

During the Montana Legislature's 2017 session, legislators requested 2,644 drafts. Of that total, legislators introduced 1,188 bills or resolutions, and the outcome resulted in 553 bills or resolutions enrolled.

Agriculture or Livestock Related Legislation

For additional information on Agriculture and Livestock Related Legislation, click [HERE](#) or [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Economic Affairs Interim Committee](#) and the [Environmental Quality Council](#).

HB 82 Revises the list of vertebrate pests to include snakes, voles, and depredatory and nuisance birds, which are subject to department pest management. The list of vertebrate pests does not apply to nongame wildlife managed or protected by FWP.

HB 91 Revises food safety laws. Allows the Department of Agriculture to adopt by reference through rule regulations adopted federally under the Food Safety Modernization Act. Effective 10/1/2017.

HB 126 Revises the Montana Pesticides Act, including raising fees and adding day-care facilities, nursing homes, hospitals, and other educational and health care facilities as part of an integrated pest and pesticide management safety program.

HB 256 Sets standards for electric fences as legal fences.

HB 286 Allows the Livestock Loss Board to reimburse producers for mountain lion predations.

HB 130 Revises commercial feed inspection fee and reporting requirements and incorporates term supplier.

HB 131 Revises reports and fees for produce, seed, feed, and fertilizer. Effective 5/7/2017.

HB 305 Allows counties to set bounty amounts on predators and to appoint bounty inspectors.

HB 338 Revises requirements for livestock transportation permits related to land ownership, age of livestock.

HB 342 Adds agritourism to list of activities for which participants assume liability for inherent risks.

HB 345 Clarifies that honey bees are considered livestock for purposes of the per capita fee.

HB 466 Allows use of certain credit or debit card purchases to be proof for estimating agricultural usage of special fuel.

SB 41 Revises terms for livestock loss prevention grants to avoid specificity in proactive prevention approaches.

SB 55 Revises licensing, fees, inspections, and penalties for plant nurseries. Clarifies license and certain nursery laws apply to landscape service engaged in nursery services. Sets license fees based on gross annual sales of nursery stock; landscape services have separate fee.

SB 73 Revises laws related to the livestock loss program, including extending the termination of statutory appropriations for the livestock loss mitigation restricted account and the predatory animal state special revenue account, and providing a statutory appropriation for the livestock loss reduction restricted account.

SB 155 Prohibits a local government from regulating agricultural or vegetable seeds.

SB 157 Clarifies the definition of a "dairy" as a place where "hoofed mammals" are kept.

SB 285 Establishes an administratively attached Montana Pulse Crop Committee for research, publicity, education, and other efforts.

SJ 19 Requests that the USDA and the Centers for Disease Control and Prevention reconsider the appropriateness of listing *Brucella abortus* as a bioterrorist agent to facilitate research into the transmission of the pathogen to cattle and domestic bison.

Alcohol or Gambling Related Legislation

For additional information on Alcohol and Gambling Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Economic Affairs Interim Committee](#).

HB 16 Includes Liquor Control Division under monitoring duties of Economic Affairs Interim Committee.

HB 428 Revises the way retail beer licenses are awarded when there are multiple applicants by creating a lottery and installing sideboards that are intended to prevent speculators from gaming the system. HB 428 was designed to prevent someone from entering a lottery for a beer license and then selling it to someone else without ever using the license. A \$25,000 initial fee paid by the lottery winner for a license and annual renewal fees mean the lottery winner must use the license within a year and may not transfer the license for 5 years.

HB 462 Creates new brewing license that allows Flathead Valley Community College and Montana State University-Billings to brew beer and sell at wholesale in conjunction with brewing classes.

HB 541 Expands to 60,000 (from 20,000) barrels the top amount a brewer can produce and still be called a small brewery. Removes a mid-tier tax on 10,000 to 20,000 barrels and taxes all beer produced over 10,000 barrels at \$4.30 a barrel. Limits small brewers to the 60,000 barrels as produced by one or up to 3 affiliated manufacturers at no more than 3 separate locations. Limits on-premises sales to no more than 2,000 barrels whether acting as one or up to 3 affiliated manufacturers.

HB 564 Expands options for sports pool tabs of up to \$100. Keeps overall payout limit of \$2,500.

SB 25 Revises gaming laws to allow for raffles by certain financial institutions or as part of a nonprofit organization's fundraiser, including out-of-state sales if authorized by the state in which the purchaser is based. Also, prevents tampering with video gaming machines by exploiting a hardware or software feature. Extends a prohibition on video gambling licenses within 150 feet of an existing gambling operation if the two premises have one or more common owners and operate in an interrelated manner, as defined by department rule.

SB 344 Revises liquor license financing laws to allow regulated lenders to use liquor licenses as collateral in the same credit and structural terms as other collateral transactions with specific provisions for licensees, borrowers, coborrowers, and guarantors and no ownership interest in the license.

Education Related Legislation

For additional information on Education Related Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Education Interim Committee](#). The summary information provided in this section was compiled by the Office of Public Instruction.

Accreditation/curriculum

HB 37 Extends the Montana Indian language preservation program, 20-9-537, MCA, to the end of FY 2019. The bill includes sung language into the provisions of the program. The bill also appropriates \$1.0 million of state general fund for the biennium to be paid to the State-Tribal Economic Development Commission in order to support the program.

HB 232 Changes the definition of "community college district". The definition previously allowed community colleges to only admit high school graduates or persons who have terminated their formal high school education. The new definition allows all people to be admitted, subject to regulations established by the trustees. This definition change allows high school students to take dual enrollment courses at a community college.

SB 103 Revises the language of 20-1-301, MCA, which sets the minimum aggregate hours for public schools. The revision provides an exception to the minimum aggregate hours for pupils enrolled in a program that allows fewer hours for any pupil demonstrating proficiency in the course content.

SB 242 Encourages each Montana public high school to administer a United States civics test developed by the United States Citizenship and Immigration Services for persons seeking to become naturalized citizens. The high schools may provide each student with the opportunity to take the test as many times necessary to pass the test. An exception is made for students with individualized education programs where the civics test is determined to be an inappropriate requirement. The Superintendent of Public Education is encouraged to annually publish a list of high schools whose graduating seniors all pass the United States civics test and recognize these schools as civics all-star schools for that year.

At-risk Youth

HB 118 Amends the duties of the state suicide prevention officer, establishes a suicide prevention grant program, and appropriates funds for the program.

HB 248 Clarifies the remedies available to any person alleging a violation under the anti-bullying statute.

HB 298 Encourages the Office of Public Instruction (OPI) to develop and maintain model school districts policies and procedures for child sexual abuse awareness, prevention, response, and reporting.

HB 381 Requires trustees of a school district to establish policies, procedures, or plans related to suicide prevention and response. Language is added to prevent liability for any loss or damage resulting from the implementation of the new requirement or resulting from any training or lack of training.

SB 197 Encourages the Office of Public Instruction undertake activities to educate Montanans about and prevent child sex trafficking.

School Facilities

SB 260 Creates the school facilities fund within the coal severance tax trust fund and creates a mechanism to fund the school major maintenance aid created by SB 307. Starting on July 1, 2017, seventy five percent of the amount in the coal severance tax bond fund in excess of the amount that is required to meet all principal and interest payments over the coming year on bonds payable from the coal severance tax bond fund shall be transferred to the school facilities fund.

HB 294 Appropriates \$100,000 from a state special revenue account for state parks to the Fish, Wildlife, and Parks (FWP) agency. The funds will be distributed to municipalities and school districts to supplement local and private funds in order to secure other grant funding for developing accessible playgrounds.

SB 307 Creates a new mechanism for funding major maintenance and building improvement expenditures for public schools.

School Governance

SB 139 Allows an elementary school district with an ANB count of at least 1,000 to expand into a K-12 school district so long as it is not part of a unified school district or governed by a joint board. These requirements would mean that currently only the East Helena, Hellgate, and Lockwood elementary school districts would have this option, although in the future any school district meeting the criteria above would have this option as well.

SB 319 Establishes that a state agency or local government may not prohibit an individual from wearing traditional tribal regalia or objects of cultural significance at a public event, which is further defined to include an award ceremony, a graduation ceremony, or a public meeting.

Higher Education

HB 68 Revises the employee retirement system membership election provisions for employees hired by the Montana University System (MUS). Beginning July 1, 2017, the employee must elect to remain a member of the retirement system to which the position is reportable. This occurs only if the newly hired employee of the MUS is already an active, inactive, or retired member of both the public employees' retirement system, and the teachers' retirement system.

HB 185 Establishes the Promise grant program for the purpose of providing grants to students enrolled at least half time community and tribal colleges and 2-year institutions of the Montana university system that are taking courses leading to the ability to transfer to another postsecondary institution, an associate degree, or a professional credential. The program will be administered by the board of regents through the Office of the Commissioner of Higher Education (OCHE).

HB 421 Clarifies that fees paid to the fire services training school are deposited in accord with the higher education university funding structure. This bill cleans up statute language to match current practice.

HB 462 Provides for the Flathead Valley Community College and the Montana State University- Billings to apply for an academic brewer license. The license must be used in conjunction with a beer-brewing class or curriculum and allows the license holders to sell any beer produced to wholesalers only. The bill also sets responsibility for compliance with existing laws and limits production to no more than 10,000 barrels annually.

HB 661 Provides for the legislative finance committee to direct a study of the long term future and possible efficiencies to be gained from the following labs on the Montana State University campus in Bozeman.

SB 6 Clarifies the reimbursement to tribal colleges for services provided to resident non-beneficiary students. The statute had stated twice that a resident non-beneficiary student had to be taking courses transferable to another Montana college or university in order to be eligible for the reimbursement.

SB 85 Submits a six-mill levy for the continued support of the Montana University System to the electorate in the November 2018 election. The proceeds of the levy will be deposited in the state special revenue fund and will be used for continued support, maintenance, and improvement of the Montana University System. If approved, the levy will be effective on January 1, 2019, and will terminate on December 31, 2028.

SB 283 Revises the Montana rural physician incentive program in 20-26-1503, MCA. This program provides payments of educational debts incurred by physicians who practice in in rural areas or medically underserved areas. SB 283 raises the maximum amount that will be paid from \$100,000 to \$150,000.

SB 321 Revises the statutes concerning the use of cadavers in medical and nursing education to allow a licensed physician or podiatrist in Montana to procure a cadaver specimen from a nationally accredited non-transplant anatomic bank for the purposes of anatomic dissection and surgical demonstration and training.

SB 341 Establishes requirements for contracts involving participation in the Washington, Wyoming, Alaska, Montana, and Idaho (WWAMI) medical education program and addresses fees based on a student's return to Montana. An individual accepted into the cooperative medical education program must enter into a contract specifying whether an individual will commit to entering active full-time professional practice in Montana for a period of three years within one year of obtaining professional status.

School Safety

HB 323 Allows schools to maintain a stock of an opioid antagonist to be used in the event of an actual or perceived opioid overdose emergency.

HB 487 Revises laws related to protecting youth athletes from permanent injury and death related to concussion. HB487 provides immunity from civil damages for a person acting in an individual capacity and not on behalf of the state or any political subdivision who volunteers to assist with an organized youth athletic activity.

SB 135 Requires the OPI, in consultation with school districts, the Department of Public Health and Human Services, the American Heart Association, and the American Red Cross to provide guidance and technical support and make available a program of study to Montana schools on: (a) basic first aid; (b) basic cardiopulmonary resuscitation; and (c) the use of automated external defibrillators.

HB 355 Adjusts the definition of “school bus” to include vehicles which are designed to carry 10 or fewer passengers.

School Finance

HB 67 Revises provisions of the Teachers’ Retirement System to define “Extra Duty Service,” revise family law order provisions, revise creditable service provisions, revise the calculation of average final compensation, revise provisions related to cancellation of allowances, restoration of membership for disability retirees, and revise death payment provisions.

HB 76 Requires remittances of unused tax increment to be made proportionally to all affected taxing jurisdictions. The allocation is based upon the ratio of each taxing jurisdiction’s mills to the total mills in the tax increment district.

HB 113 Allows state funds to be used as matching funds for federal or private grants for Indian language immersion programs.

HB 119 Expands the purpose of the quality educator loan assistance program to expressly include recruitment and retention of educators at schools impacted by critical quality educator shortages.

HB 191 Provides inflationary increases of 0.5 percent for FY 2018 and 1.87 percent for FY 2019 to the funding components of school district general fund budgets. The increases are applied to the basic and per-ANB entitlements, the quality educator payment, the Indian Education for All payment, the at-risk student payment, the American Indian achievement gap payment, and the data for achievement payment.

HB 647 Represents a restructuring of school funding in Montana by:

- Eliminating the natural resource development K-12 (NRD) funding payment to school districts’ general fund.
- Creating a new NRD facilities payment beginning in FY 2019 that is directed to the school facility account described in SB 307.
- Eliminating general fund block grants and ending the annual inflationary increase to county transportation block grants. General Fund Guaranteed Tax Base (GTB) payments to qualifying districts

will increase as a result. However, the GTB increases will preferentially aid districts with a lower tax base, thereby enhancing equalization of state funding to school districts.

- Increasing the district general fund GTB multiplier each year beginning in FY 2019 through FY 2021.

- Redirecting excess oil and natural gas production taxes to the Guarantee Account that is the first source of funding for BASE Aid.

HJ 1 Requests an interim study of the needs and costs of programs to provide for students with special needs to include children with disabilities, at-risk students, students with limited English proficiency, children who are qualified for services under 29 U.S.C. 794, and gifted and talented children.

SB 5 Authorizes school districts to borrow funds for additional eligible projects through the Board of Investments. SB 5 also increases the debt repayment term from revenue pledged from a school district's building reserve fund levy from 5 years to 15 years for authorized projects.

SB 115 Revises the program for paying stipends to teachers achieving National Board Certification. The current program pays a one-time \$3,000 stipend to teachers who receive National Board Certification.

SB 124 Allows school district bonds to be issued for a term of up to 30 years if the rate on the bonds issued is less than or equal to the rate on 20 year bonds, and if the bonds are sold to the United States or an agency, instrumentality, or corporation of the United States. Prior to this amendment, the statute capped bond terms at 20 years.

SB 227 Revises 20-10-145, MCA, to clarify the maximum number of days for which school district transportation services will be eligible for state and county reimbursement.

Employment Related Legislation

For additional information on Employment Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Economic Affairs Interim Committee](#).

HB 88 Revises incumbent worker training program requirements. Removes BEAR program (business expansion and retention) and assigns tasks to the Department of Commerce. Expands size of employer to include those employing up to 50 people (from 20).

HB 125 Revises workforce investment act to implement federal changes in relation to the Workforce Innovation and Opportunity Act.

HB 132 Revises unemployment insurance laws to clarify appeals process and timelines.

SB 325 Provides legal protections under limited circumstances for private employers for nonnegligent hiring of individuals with criminal backgrounds if employee commits illegal acts outside the scope of employment.

SJ 20 Study intractable unemployment in high-poverty counties Unemployment study.

Energy and Telecommunications Related Legislation

For additional information on Energy and Telecommunications Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Energy and Telecommunications Interim Committee](#).

Energy and Telecommunications Interim Committee Legislation

During the 2015-2016 interim, the ETIC requested 13 pieces of legislation be drafted for introduction in 2017. Six of the bills were passed and approved, and seven were tabled. The following committee bills were passed and approved:

HB 20 Repeals renewable energy credit reporting requirements and eliminates renewable energy credit reporting to the ETIC and to the Department of Revenue.

HB 22 Appropriates \$80,000 to the Department of Justice to assist in securing the future of communities affected by the closure of coal-fired generating units in Montana through participation in proceedings before out-of-state utility or regulatory commissions.

HB 61 Revises 9-1-1 laws in Montana by establishing a 9-1-1 advisory council and updating Department of Administration duties for 9-1-1 systems and services in Montana. It also revises the allocation of 9-1-1 fees and requires the DOA to use money this biennium on grants for updating 9-1-1 infrastructure and developing a statewide 9-1-1 plan. Money is also allocated to the State Library for GIS mapping.

SB 11 Requires the PSC to biennially review and update interconnection standards for net metering systems.

SB 36 Eliminates an exemption allowing individuals to perform electrical work on a grid-tied generator on their property or residence without a license.

SJ 2 Requests an interim study of renewable energy credits in Montana.

Utilities and Cooperatives

HB 193 Revises public utility electricity cost recovery and standardizes the treatment of public utilities for the approval of cost-tracking adjustments.

HB 219 Requires the PSC to review net metering rate classifications. NorthWestern Energy is required to complete a net metering study (within parameters established by the PSC) by April 1, 2018. The study must be submitted with NorthWestern's next general rate case, and during that time the PSC may determine if a new service classification for net metered customers is needed. Existing customers, however, are grandfathered.

HB 365 Updates and revises laws pertaining to excavations near underground facilities, or the "Call Before You Dig" laws in Montana. An underground facility protection advisory council is established, and the enforcement duties of the Department of Labor and Industry are established. Fees, fines, and civil penalties are established. The department also is charged with providing grants to one-call notification centers. Damage liability requirements are also set, and a review and mediation process is established.

SB 164 Revises the appointment, qualifications, and duties of members of the Pacific Northwest Electric Power and Conservation Planning Council.

SB 168 Establishes public meeting requirements and time lines for the PSC when a utility submits an electricity supply resource procurement plan.

SB 363 Provides funding for aquatic invasive species programs via a hydroelectric facility fee, a fee on hydroelectric dependent cooperatives, and the creation of the aquatic invasive species prevention pass, which is a prerequisite to the purchase of a fishing license.

SB 374 Allows certain customers to seek an alternative cost estimate and have a contractor construct an electric utility line extension. Requires inspection of the line by a utility.

Energy Generation and Transmission

HB 216 Requires the owners of wind generation facilities to submit a decommissioning plan and bond to the Department of Environmental Quality. Exceptions to the requirements are also established.

HB 297 Provides an incumbent electric utility with a first right to construct, own, and maintain certain electric transmission lines approved by federally registered planning authorities.

HB 585 Allows the Board of Investments to make loans to an owner of a coal-fired generating unit in Montana from the Montana Permanent Coal Tax Trust Fund for the operation and maintenance of a coal-fired generating unit in Montana.

SB 140 Authorizes the Board of Investments to make loans to certain local governments from the Montana Permanent Coal Tax Trust Fund for the development and maintenance of infrastructure impacted by the closure of a coal-fired generating unit in Montana.

SB 339 Establishes a coal-fired generating unit remediation act, including requirements for submission and review of a remediation plan by the Department of Environmental Quality. Remediation is only required to meet with applicable state or federal environmental laws. Actions must be in line with an existing Administrative Order on Consent.

Telecommunications

HB 172 Clarifies certain rural telephone cooperative vote requirements. There are requirements if a telephone cooperative intends to sell a substantial portion of property, and substantial portion means 20% or more of the net book value of the cooperative.

HB 604 Revises public safety communication laws and establishes a Statewide Public Safety Communications System Act. Statewide public safety communications system is defined and administered by the Department of Justice. A statewide public safety communications system advisory council is established. The department is allowed to establish rates or charges for statewide public safety communications system services and to develop agreements between government agencies for the use of systems.

Energy Taxation and Funding

HB 209 Allows the increased coal severance tax allocation to the coal natural resource account through June 30, 2019.

SB 86 Revises the tax for certain oil production and the price of oil for which incremental production tax rates apply.

SB 260 Creates the school facilities fund within the coal severance tax trust fund and allocates coal severance tax funds.

Health and Human Services Related Legislation

For additional information on Health and Human Services Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Children, Families, Health, and Human Services Interim Committee](#).

Children, Families, Health, And Human Services Interim Committee

During the 2015-2016 interim, the Children, Families, Health, and Human Services Interim Committee approved the drafting of seven pieces of legislation. The 2017 Legislature approved four of the bills. As noted, House Bills 17, 24, and 70 – all related to the committee's study of guardianship and Alzheimer's disease – passed, although the funding for the waiver slots authorized in HB 17 will be void if general fund revenues come in lower than anticipated. The Legislature also passed Senate Bill 4, to eliminate certain statutorily required advisory groups and reports related to the Department of Public Health and Human Services. The bill eliminated inactive advisory councils and reports that were either no longer needed or no longer being provided. Committee bills are noted by an asterisk.

Children's Issues: Abuse/Neglect/Foster care/Child support

HB 64 Extends for another 2 years the child abuse and neglect court diversion pilot project originally established by the 2015 Legislature to allow judicial districts to informally resolve cases when DPHHS has removed a child from a home on an emergency or voluntary protective basis and the parent has entered into a treatment agreement.

HB 173 Establishes deadlines for treatment plans and permanency hearings in child abuse and neglect cases.

HB 201 Requires a court to appoint a court-appointed special advocate (CASA) as a guardian ad litem for any child alleged to be abused or neglected, if a CASA is available.

HB 303 Creates a child abuse and neglect fatality review committee to examine child fatalities and near fatalities attributed to abuse or neglect and requires that the commission's findings and recommendations be reported to several entities, including the Children and Families Committee.

HB 351 Establishes additional requirements for permanency plans developed in child abuse and neglect cases, including involvement of the child in development of the plan if the child is 14 years of age or older.

HB 517 Requires DPHHS to develop by August 15, 2018, a 5-year strategic plan for reducing child abuse and neglect and to provide the plan to the Children and Families Committee and the Legislative Finance Committee.

SB 113 Requires DPHHS to release records related to a child abuse or neglect investigation to a member of Congress or the Montana Legislature upon request.

SB 172 Allows for denial of hunting licenses for failure to pay child support.

Developmental Disabilities

HB 387 Allows DPHHS to continue to use, on an ongoing basis, the secure 12-bed Assessment and Stabilization Unit at the Montana Developmental Center (MDC) as a secure facility for individuals whose continuous or repeated behaviors pose an imminent risk of harm to self or others and extends by 2 years, until June 30, 2019, the deadline for closing the rest of the MDC campus.

HB 458 Requires DPHHS to monitor MDC residents during their stay at the facility and for an additional 2 years after they are placed in community services to determine whether their skills, abilities, and behaviors have improved, diminished, or remained unchanged while in treatment or in a community placement; DPHHS must report annually to the Children and Families Committee on the aggregate results of the monitoring.

HB 638 Appropriates money to increase wages for workers providing direct care to the elderly and people with developmental or physical disabilities; the appropriation only occurs if general fund revenues reach a certain level as set in SB 261.

Health Care

HB 163 Allows hospital patients to designate a lay caregiver who will be notified before the patient is discharged, be informed of the patient's post-discharge aftercare needs, and be given instruction, if requested, in providing the care.

HB 175 Revises the laws related to medical care savings accounts, including increasing the limit on contributions to the account and expanding the circumstances in which funds in the account may be used.

HB 233 Allows a pharmacist to substitute a less expensive interchangeable biological product for a specific biological product and requires notification to the patient.

HB 476 Allows physician assistants to supervise medical assistants.

HB 639 Institutes a three-year community benefit assessment on the state's large hospitals.

SB 166 Adopts the enhanced Nurse Licensure Compact that allows nurses who are licensed in a compact state to practice in any of the other party states without obtaining licensure from those states.

SB 92 Allows for appointment of proxy decision makers for hospital patients who lack decision-making capacity and creates a process for naming a health care provider as a proxy decision maker if no other person is available to serve in that position.

SB 120 Allows dental hygienists to prescribe certain fluorides and medications without supervision by a dentist if the hygienist is practicing with a limited access permit under public health supervision.

SB 216 Exempts medical care savings accounts and federal health savings accounts from bankruptcy, creditor, and other processes to pay debts.

SB 283 Increases the total repayment available under the five-year medical school loan repayment program for physicians practicing in rural areas from \$100,000 to \$150,000.

SB 333 Revises the Montana Medical Marijuana Act in a number of respects, including requiring development of and provider participation in a seed-to-sale tracking system, testing of marijuana

products before sale, and taxing of gross sales at a rate of 4% in fiscal year 2018 and 2% in subsequent years.

Health Insurance

HB 142 Establishes that insurers must provide coverage of mental health conditions in accordance with the federal Mental Health and Addiction Equity Act of 2008.

HB 469 Requires insurance coverage of services provided by marriage and family therapists.

SB 129 Requires insurance coverage of dental services offered by telemedicine.

SB 362 Requires health insurers to develop “transparency tools” that provide covered individuals with comprehensive cost information about certain health care services, including information on the costs the individual must pay for a specific service.

Medicaid/Healthy Montana Kids Plan

HB 639 Revises, for the next two fiscal years, the formula for calculating Medicaid reimbursement rates for physicians by lowering the inflation factor used in setting the rates.

SB 82 Revises standards for Medicaid overpayment audits of providers, establishing timelines for review, limiting the use of extrapolation and statistical sampling, and requiring peer review of overpayment findings.

SB 199 Requires the Healthy Montana Kids Plan to cover services designed to help children maintain, learn, or improve skills and functions for daily living or prevent deterioration of skills.

SB 233 Prohibits DPHHS from adopting Medicaid rules that would exclude a child in foster care from receiving Medicaid services or that would require prior authorization for services if the services are available to other Medicaid enrollees without prior approval.

Mental Health/Substance Abuse

HB 95 Eliminates the requirement that new substance abuse treatment facilities must show that they won’t duplicate existing local services and requires that all state-approved facilities and programs be held to uniform standards established by administrative rule.

HB 118 Appropriates \$1 million over the next biennium to fund evidence-based suicide prevention activities and to carry out the action steps of the Montana Native Youth Suicide Reduction Plan published in January 2017.

HB 220 Allows physician assistants to be considered mental health professionals if they have a clinical specialty in psychiatric mental health.

HB 237 Requires the Montana Board of Crime Control to develop a crisis intervention team (CIT) training program to increase the number of law enforcement officers, behavioral health providers, and other stakeholders who are trained to respond to individuals experiencing a behavioral health crisis.

HB 328 Allows tribal governments to apply for mental health crisis intervention and jail diversion grants available through DPHHS, establishes priorities for making grant awards, and allows grants to be made for 2 years rather than on an annual basis.

HB 381 Requires local school boards to establish suicide prevention and response policies, procedures, and plans.

HB 589 Requires DPHHS to monitor the status of children receiving targeted case management services to determine whether the children are able to remain at home, in school, and out of trouble after receiving services; requires an annual report to the Children and Families Committee.

SB 62 Provides for certification of behavioral peer support specialists by the Board of Behavioral Health and establishes requirements for certification.

SB 160 Requires DPHHS to simplify administrative rules, payment methods, and contracting processes for Medicaid-funded services for people suffering from mental illness and co-occurring disorders.

Public Health

HB 285 Requires DPHHS to establish a palliative care access initiative and creates a palliative care and quality of life interdisciplinary advisory council to work with DPHHS on establishing and evaluating the outcomes of palliative care initiatives.

HB 323 Allows schools to maintain a supply of an anti-overdose drug and administer the drug in instances of suspected opioid overdoses .

HB 333 Allows the state medical officer and medical practitioners to prescribe an anti-overdose drug to certain individuals and entities, including first responders, to be used in cases of opioid overdoses.

HB 487 Requires non-public schools and youth organizations to provide concussion education to coaches, officials, youth athletes, and parents, expanding on the current law that requires public schools to provide concussion education.

SB 205 Requires DPHHS to plan for improved delivery of care to certain heart attack patients by monitoring a national database, requiring certain hospitals to report data to the database, and encouraging other health care providers to participate in the database and share information related to treatment and quality improvement efforts.

SB 254 Establishes in statute, rather than administrative rule, the license fees for retail food establishments; the fee is \$85 a year for establishments with two or few employees working at one time and \$115 a year for other establishments.

Senior Citizens

***HB 17** Subject to revenue triggers contained in SB 261, appropriates money to increase the number of home and community-based services waiver slots for elderly and disabled individuals and to increase Medicaid reimbursement rates for assisted living facilities. The bill was proposed by the Children and Families Committee as part of its Senate Joint Resolution 22 study of guardianship and Alzheimer's disease.

***HB 24** Establishes protections from financial exploitation for vulnerable individuals by allowing investment advisers to report suspected exploitation, providing immunity for such disclosures, and allowing delayed disbursement from accounts if exploitation is suspected. The bill was proposed by the Children and Families Committee as part of its Senate Joint Resolution 22 study of guardianship and Alzheimer's disease.

***HB 70** Establishes a working interdisciplinary network of guardianship stakeholders (WINGS) group to evaluate Montana laws, services, and practices related to adult guardianships and conservatorships and appropriates money to provide grants to public guardianship programs. The bill was proposed by the Children and Families Committee as part of its Senate Joint Resolution 22 study of guardianship and Alzheimer's disease.

HB 618 Increases the nursing home bed tax to leverage additional federal Medicaid funds for increased nursing home reimbursement rates and requires that a part of the increased rate be used to increase wages for certified nursing assistants in nursing homes by 50 cents an hour each year of the biennium.

SB 272 Creates a new licensing category for assisted living facilities that serve individuals with dementia and allows courts to divert individuals to those facilities if the individual would otherwise meet the criteria for commitment to the Montana State Hospital.

Insurance Related Legislation

For additional information on Insurance Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Economic Affairs Interim Committee](#).

HB 73 Treats air ambulance memberships as insurance.

HB 120 Revises insurance laws to retain National Association of Insurance Commissioners' accreditation. New sections of law related to corporate governance disclosure goes into effect Jan. 1, 2018. Sections revising existing laws on such issues as a health organization's risk-based capita and examinations by the insurance commissioner, go into effect Oct. 1, 2018.

HB 137 General housekeeping bill for insurance and securities laws administered by the State Auditor's Office. Various effective dates (passage and approval (April 4, 2017) for certain sections and Oct. 1, 2017, for others.)

HB 138 Revises licensing of general insurance agent laws to allow for appointment by affiliation, among other changes.

HB 142 Revises insurance law to give mental health coverage parity with physical health. Delayed effective date of Jan. 1, 2018.

HB 145 Adopts National Association of Insurance Commissioners' model legislation regarding annuities.

HB 346 Allows a fiscal agent to be designated as an employer for workers' compensation insurance. Allows third party recipient of funds, as in veteran service providers, to hire employees and be considered the employer even though the client of the fiscal agent directs the work tasks.

HB 449 Revises the definition of wages in workers' compensation insurance to specify that lodging, rent, or housing is considered part of an employee's remuneration as further specified by rule, which is to address the geographic proximity of available housing and other reasonable factors affecting the valuation.

SB 44 Provides process to hold patients harmless from balance billing by air ambulances.

SB 58 Prohibits the use of \$0 claims for insurance policy cancellation or nonrenewal.

SB 77 Revises terms of title insurance in tax deed laws.

SB 129 Requires insurance coverage of teledentistry.

SB 142 Revises laws related to volunteer emergency personnel and worker's compensation insurance to require notification if coverage provided.

SB 167 Generally revises laws pertaining to insurance offenses. Changes or adds penalties for various types of insurance fraud, theft, or hiding of assets related to insurance reporting. Treats all forms of insurance fraud or theft similarly, removing some issues from the unfair trade practices part of insurance law.

SB 222 Revises insurance laws relating to annuity surrender fees to set a 10-year limit on surrender charges unless a separate premium deposit is later added that was not part of the original annuity contract. Effective for contracts signed on or after April 10, 2017.

SB 245 Generally revises Montana captive insurance laws to allow captives to have a certificate of dormancy, with an altered fee schedule.

SB 291 Revises lien filings for certain air ambulance bills.

SB 292 Revises credit reporting laws for air ambulance debt from balance billing. Retroactive applicability for bills for which complaint recorded.

SB 312 Allows Dept. of Labor and Industry to adopt prescription drug formularies by rule under MAPA initially but not under MAPA for automatic updates. The prescription drug formulary is to be used for workers' compensation.

SJ 27 Study Montana's workers' compensation insurance.

Law and Justice Related Legislation

For additional information on Law and Justice Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Law and Justice Interim Committee](#).

Law and Justice Interim Committee

During the 2015-2016 interim, the Law and Justice Interim Committee approved the drafting of seven pieces of legislation. The 2017 Legislature approved five of the bills. In the 2015-2016 interim, A commission on Sentencing and a Task Force on State Public Defender Operations also worked on legislative proposals. More information on the committee, subcommittee, and task force bills is available [HERE](#). They are marked by an asterisk.

Civil Procedure

SB 293 Revises the interest that may be awarded on civil judgments.

Corrections

HB 426 Protects prepaid telephone accounts used by inmates in state prisons from expiration.

HB 650 Authorizes transfers and feeds and other necessary measures to implement the General Appropriations Act related to motor vehicles and corrections. Revises collection and allocation of various

motor vehicle fees. Repeals the boot camp incarceration program. Sets a maximum payment to regional correctional facilities. Requires the Judicial Branch and the Office of State Public Defender to develop protocols for the appointment of counsel in treatment courts, and transfers the Board of Crime Control from the Department of Justice to the Department of Corrections.

***SB 59** Creates a pretrial program for felony defendants and a prosecution diversion program. Creates an oversight council to review corrections and criminal justice changes enacted in 2017. Requires the Department of Corrections to adopt a program evaluation tool and an incentives and interventions grid for community supervision of offenders.

***SB 60** Revises presentence investigation laws to require a preliminary or final report be provided to a court within 30 days of a plea, verdict, or finding of guilty. Revises laws related to use of risk and needs assessments.

***SB 63** Revises laws related to supervision of probationers and of defendants serving a deferred or suspended sentence.

***SB 64** Revises the size and structure of the Board of Pardons and Parole, including qualifications and compensation of members. Revises processes used to grant hearings and parole, assign parole conditions, revoke parole, and train staff and members.

***SB 65** Revises laws related to housing options for offenders by establishing a legislative policy regarding housing for offenders. Establishes a supportive housing grant program, and allows the Department of Corrections to provide housing vouchers to certain offenders.

***SJ 3** Recommends an interim study to explore increasing access to tribal resources for members who are involved in the criminal-justice system.

SJ 25 Recommends an interim study of the extent of the use of solitary confinement in state and county institutions.

Crimes And Criminal Procedures

HB 40 Allows dissemination of confidential criminal justice information to the Adjutant General.

***HB 62** Requires the Department of Revenue to collect fees for public defender services.

***HB 77** Revises the public defender system and requires a director hired by the Department of Administration.

HB 79 Modifies when a military member may be turned over to civil authorities for trial.

***HB 89** Establishes a holistic defense pilot project within the state public defender system.

***HB 133** Revises laws related to sentencing. Expands types of offenses for which fingerprints must be taken. Revises criminal endangerment and assault with a bodily fluid crimes. Revises mandatory minimums for certain sex crimes. Creates tiered sentencing for theft-based crimes. Reduces penalties for certain misdemeanors and drug offenses. Revises the persistent felony offender designation, certain driving offenses, and DUI penalties.

HB 168 Provides for expungement of criminal records for misdemeanor offenses in certain cases

HB 208 Provides that it is unlawful to retaliate against a person who alleges waste, fraud, or abuse, and creates a civil liability and remedies.

HB 482 Revises incest laws related to consent of stepchildren and to legal accountability when a person involved in the act is less than 18 years of age.

HB 600 Revises laws related to victims' rights. Provides for enforcement of victims' rights and requires the Attorney General to develop a model victim's rights card. Also allows certain victim information to be shared with certain entities unless the victim requests otherwise.

***SB 17** Provides that juvenile offenders with no history of sexual offenses or for whom registration is not necessary to protect the public do not have to register as sexual offenders.

***SB 26** Revises laws regarding sexual intercourse without consent to provide a maximum penalty when the offender is 18 or younger and the victim is 14 or older, it is a first offense, and no force was used. Also provides that the offender does not have to register as a sex offender as long as no force was used.

***SB 29** Revises laws related to sexual crimes, including creating an aggravated sexual intercourse without consent crime and removing the requirement of force from the definition of "consent". Also revises the penalties for sexual intercourse without consent.

***SB 30** Extends the statute of limitations to 20 years for victims of sex crimes who are under the age of 18. The previous statute of limitations was 10 years.

SB 111 Provides that it is unlawful to feed wild turkeys.

SB 153 Creates an offense of strangulation of a partner or family member.

SB 167 Revises laws pertaining to insurance offenses by providing a statute of limitations, consolidating criminal provisions related to insurance fraud, and providing for administrative or civil insurance fraud.

SB 187 Prohibits the importation of animal carcasses from places with documented occurrences of chronic wasting diseases.

SB 228 Exempts certain persons that provide needle and syringe exchange services from drug paraphernalia laws.

SB 250 Revises laws regarding prosecutorial immunity for Marsy's Law.

SB 258 Provides procedures for electronically issued search warrants.

SB 310 Allows the Confederated Salish and Kootenai tribes to withdraw consent to be subject to the criminal jurisdiction of the state of Montana.

SB 325 Provides legal protections for private employers regarding employment of individuals with criminal backgrounds.

Family Law, Minors

***HB 59** Limits the appointment of counsel to a putative father when child is subject to an abuse/neglect petition.

HB 64 Revises child abuse and neglect court diversion pilot project to expand the project to persons receiving voluntary protective services.

HB 111 Revises laws regarding maintenance of minor in possession conviction and adjudication information to eliminate reports to the Department of Public Health and Human Services.

HB 135 Revises the Youth Court Act to allow for information sharing. Revises the records that must be sealed on a youth's 18th birthday, the access to and maintenance of electronic records, and the requirements for the Department of Corrections to transmit records to youth court.

HB 173 Provides deadlines for treatment plans and permanency hearings for children in youth in need of care cases.

HB 201 Provides that children in youth in need of care proceedings are represented by a court-appointed special advocate or other qualified person as guardian ad litem.

HB 247 Clarifies that coercing a child in person to view sexually explicit material or acts constitutes sexual abuse of children.

***SB 22** Creates a civil process to terminate the parent-child legal relationship when the child is born as a result of sexual intercourse without consent or sexual assault.

SB 123 Provides that nonresident parties may obtain a marriage license in any county.

SB 172 Allows a denial of a hunting, fishing, or trapping license for failure to pay child support and other support debt or obligations.

SB 197 Encourages the Office of Public Instruction to undertake efforts to prevent child sex trafficking.

SB 229 Requires the release or disclosure of child abuse or neglect records to certain law enforcement, prosecutorial, and child welfare entities when a child has been exposed to a dangerous drug.

Courts, Judges And Justices, Juries And Jurors

HB 44 Adds one district court judge to the 4th Judicial District and two judges to the 13th Judicial District.

HB 124 Requires training for water commissioners unless a district court judge with jurisdiction determines otherwise.

HB 278 Authorizes a sentencing judge to place an offender in residential treatment as a reasonable restriction or condition under a deferred or suspended sentence.

HB 521 Authorizes a majority member of a limited liability company to represent the company in justice's court and small claims court.

SB 20 Eliminates a previously required IT report from the duties of the court administrator.

SB 28 Allows Water Court review of certain decisions of the Department of Natural Resources and Conservation.

SB 45 Revises treatment court structure, including processes used to assign an incentive or sanction an offender and restrictions on the participation of violent offenders.

***SB 67** Revises laws related to offender intervention programs to require adoption and use of statewide standards for the services offered in the programs.

SJ 15 Determines that it would be an unconstitutional act of legislation, in violation of the Constitution of the State of Montana, and would violate the First Amendment right of the citizens of Montana, should the Montana Supreme Court enact Proposed Rule of Professional Conduct 8.4(g).

Law Enforcement

HB 45 Revises medical examiner laws related to appointment and supervision, deputy medical examiners, and when certain examinations must be performed by state or deputy medical examiners.

HB 146 Provides when temporary roadblocks may be used by law enforcement agencies.

HB 237 Creates a crisis intervention team training program to be administered by the Board of Crime Control.

HB 258 Requires county detention centers to allow inmates free calls to the inmate's attorney.

HB 333 Authorizes the prescribing, dispensing, distributing, and administering of opioid antagonist medication to eligible recipients. Also provides disciplinary, civil, and criminal immunity.

HJ 6 Recommends an interim study of methamphetamine use and illegal use of opioids in Montana.

SB 25 Revises gaming laws.

SB 57 Clarifies highway patrol funding sources and increases certain registration fees.

SB 81 Provides that health care information regarding a deceased patient may be disclosed to a coroner for use in the coroner's investigation.

SB 200 Revises laws related to disposition of certain property held by local law enforcement agencies or a state agency that employs a public safety officer.

SJ 11 Defines the phrase "shall not be called into question" as used in Article II, section 12, of the Montana Constitution.

Mental Illness or Incapacity

HB 24 Provides to vulnerable persons protections from financial exploitation, including reporting of financial exploitation by investment advisors and other qualified individuals and provision of certain records to law enforcement.

HB 95 Removes limitations on the establishment of chemical dependency treatment facilities and programs.

HB 328 Revises mental health crisis intervention and jail diversion grant procedures and establishes priority for awarding of funds. Also allows tribal governments to apply for grants.

HB 495 Revises laws concerning discharge of patients from mental health facilities.

Privacy

HB 147 Requires a search warrant for government access to electronic devices unless informed consent is obtained or a judicially recognized exceptions exists.

HB 148 Revises laws related to electronic communications. Requires a search warrant and customer notice for disclosure of electronic communications by a provider of an electronic communication service. Allows the Attorney General to commence civil actions against governmental entities to compel compliance. Also allows a service provider to challenge certain warrants and voluntary disclosure of electronic communication information.

HB 149 Prohibits the use of license plate reader by the state or a local government except in certain situations. Creates preservation requirements and limits disclosure of collected information.

Local Government Related Legislation

Senate Bill No. 151, passed and approved by the 2017 Legislature, established a Local Government Interim Committee. Creation of the committee was intended to be revenue-neutral. In order for that to occur, the membership of the Education Committee (formerly Education and Local Government) was reduced from 12 to 8, and apportion of the budget for what was the Education and Local Government Committee was allocated to the Local Government Committee. With the change, local government topics will be covered by the Legislature's [Local Government Interim Committee](#).

HB 30 Exempts levies voted on after adoption of tax increment financing from being included in the combined mill rate calculation used to calculate a tax increment.

HB 53 Revises the procedure for calculating levies for conservation districts by repealing the requirement that the county commissioners determine the rate of assessment using a certain formula.

HB 76 Requires remittances of unused tax increment to be made proportionally to all affected taxing jurisdictions.

HB 152 Allows counties to establish motor vehicle recycling and disposal capital improvement funds.

HB 221 Clarifies statutory references related to public records of municipalities.

HB 245 Establishes time limits and processes for local governing body review of a subdivision final plat and determination of sufficiency of information.

HB 282 Creates a process for a county commission to restore the type of election held by a county if an election was held to change the type of election without having held an election to change the form of government.

HB 305 Allows counties to establish the dollar amount of bounties on predators. Revises the term of the county livestock fee. Revises appointment of bounty inspectors.

HB 373 Revises and clarifies acquisition and sale of county personal and real property. Requires adoption of resolution that provides procedures for selling, exchanging, and donating real property.

HB 374 Clarifies that certain utility facilities may occupy a highway right-of-way and requires that Department of Transportation rules adopted for occupancy and relocation of utilities in a highway right-of-way include provisions for publicly-owned water and sewer facilities.

HB 388 Revises who may be considered an elector in an irrigation district election. Requires owners of land in a district to notify the district of who is designated to vote. Requires that the list of designees be provided to the county election office at least 60 days before an election.

HB 396 Requires consultation with affected local taxing jurisdictions when adopting tax increment financing provisions as part of an urban renewal plan or a targeted economic development district comprehensive plan and when modifying an urban renewal plan related to the use of general obligations bonds.

HB 407 Requires Department of Environmental Quality sanitation in subdivision rules to allow for a well isolation zone for an individual water system well to extend outside the boundaries of a subdivision.

HB 416 Revises requirements for local governing body subdivision review decisions. Requires findings of fact in a subdivision review to be based on the record as a whole. Clarifies when a decision made by a governing body must be sustained when challenged. Clarifies what standards of review apply to an environmental assessment.

HB 422 Requires review by the Attorney General a complaint referred from a county attorney concerning alleged misconduct of a local government public officer. Provides circumstances under which a county's entitlement share payment may be withheld.

HB 445 Provides for phased development of a subdivision. Establishes requirements for a phased development application and for review of the application. Requires public hearings. Allows a local governing body to impose additional conditions on approval of each phase.

HB 473 Establishes a highway restricted account and a bridge and road safety and accountability restricted account. Increases fuel tax and special fuels tax. Requires revenue to fund highway projects and local road projects. Provides for a local government road match program. Requires performance auditing of the Department of Transportation. Requires Department of Transportation to publish website showing projects funded with the revenue.

HB 492 Allows consolidation of a rural fire district and a fire service area to create a new fire service area.

HB 507 Creates a pilot program with revised timelines and procedures for sanitation reviews of proposed subdivisions.

HB 510 Clarifies when certain subdivisions that are exempt from local governing body review may be exempt from water and sanitation review. Allowing for exemptions if storm water and municipal facilities information is provided to the Department of Environmental Quality.

HB 565 Revises local government entitlement share growth rates. Revises the growth rate for the reimbursement for class eight tax rate reductions and exemptions. Provides circumstances under which an entitlement share payment may be withheld.

HB 586 Appropriates grant funds to the Department of Natural Resources and Conservation for the city of Laurel water intake project only if a bonding bill that creates a state and local infrastructure account is passed and approved. Provides conditions for the grant.

HB 644 Prohibits interference with wildfire suppression efforts including by the use of unmanned aerial vehicle systems. Prohibits self-governing local governments from enacting ordinances governing the private use of an unmanned aerial vehicle in relation to a wildfire.

HJ 18 Requests interim study of tax increment financing.

HJ 25 Requests a legislative interim study of municipal fire protection.

SB 2 Clarifies county commission quorum requirements. Provides that the presence of a quorum of members does not constitute a meeting in certain situations.

SB 16 Revises the basis for determining whether the disability and pension fund of a city's or town's fire relief association is soundly funded.

SB 27 Revises tax increment financing laws related to public hearings and reporting. Requires a public meeting with opportunity for public comment for urban renewal agencies. Requires local government annual financial reports to include information on the financial activities of districts using tax increment financing. Requires additional information to be included in an urban renewal agency's annual report.

SB 39 Eliminates county commissioner notice and approval requirements for organization of conservation districts.

SB 79 Allows for creation of a rural improvement district solely for road maintenance upon petition of the owners of more than 85% of the area in the proposed district.

SB 140 Allows the Board of Investments to make loans from the coal tax trust fund to a local government impacted by the closure of a coal-fired generating unit to secure and maintain existing infrastructure.

SB 151 Creates a Local Government Interim Committee and an Education Interim Committee. Establishes duties of the committees and provides for membership.

SB 155 Prohibits self-governing and general powers local governments from regulating certain activities related to agricultural or vegetable seed production.

SB 178 Requires that a primary election for a county nonpartisan office be held if more than two candidates file for the office.

SB 189 Revises protest procedures for creation of a special purpose district. Removes the requirement that a special purpose district form specify that a property owner's lack of action be construed as support for creation of the district. Clarifies that forms returned with support for or opposition against creation of the district may be used in determining sufficiency of protest.

SB 200 Authorizes local governments to establish procedures to allow local law enforcement to dispose of found or abandoned property. Allows state agencies that employ a peace officer to adopt rules to dispose of found or abandoned property held by the agency. Revises procedures for the destruction of property held as evidence by a law enforcement agency for a case filed in a court of limited jurisdiction.

SB 219 Exempts certain parcels of land used to provide security for mortgages, liens, or trust indentures from the requirements of the Montana Subdivision and Platting Act.

SB 274 Allows the referendum on the creation of a special district and the election of the board of a proposed special district to be combined.

SB 278 Allows local agencies to enter into a contract with firms for certain professional services on an as-needed basis after evaluation of qualifications. Increases contract limits for contracts by direct negotiation.

SB 372 Revises local government financial reporting and auditing requirements. Provides that revenue or financial assistance received by a local government in excess of an amount established by the director of the Office of Management and Budget causes an audit every 2 years. Limits the amount that certain local governments are required to pay for filing an audit report or financial report.

SJ 21 Requests legislative interim study of local emergency medical and volunteer firefighter systems.

Natural Resource Related Legislation

For additional information on Natural Resource Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Environmental Quality Council](#).

EQC Responsibilities/Administration

The EQC proposed no legislation after the 2015-16 interim. However, eight bills were approved that alter the EQC's statutory responsibilities.

HB 128 Requires FWP to report to the EQC specific information about mountain sheep harvested from the Tendoy Mountain herd by September 1 of each even-numbered year.

HB 211 Requires FWP to report current sage grouse population numbers, including the number of leks, to the Montana Sage Grouse Oversight Team and the EQC annually. The report must include seasonal and historic population data.

HB 434 Requires FWP to report to the EQC on or before September 1 of each year preceding a regular session regarding implementation of the Wildlife Habitat Improvement Act.

HB 507 Revises laws concerning sanitation review for proposed subdivisions, creating a pilot program to allow subdivision applicants to request a preapplication meeting with the reviewing authority and allowing a preliminary site assessment by a local board of health to determine whether the site meets applicable state and local sewage disposal requirements. The bill also requires the department of environmental quality to report annually to the EQC summarizing the review procedures adopted under Title 76, chapter 4, and whether statutory changes are needed.

HB 622 Requires the Invasive Species Council and the Upper Columbia Conservation Commission to report on their activities to the EQC annually.

HB 661 Requires the EQC to appoint two members to serve on a subcommittee to study the long-term future of and possible efficiencies to be gained from the Veterinary Diagnostic, Wool, Wildlife, and Seed Labs on the MSU Bozeman campus.

SB 315 Requires the Libby asbestos superfund liaison to report to the EQC by July 1 each year.

SB 363 Requires the Departments of Agriculture, FWP, DNRC, and MDT to report to the EQC at least biannually on their activities undertaken and expenditures incurred related to implementation of aquatic invasive species laws.

Department of Environmental Quality

SB 42 Revises the Major Facility Siting Act by requiring consultation with applicants if the department determines a modification is needed, modifying reporting authority, modifying corridor width and selection requirements, expanding landowner notice requirements, and providing for public notice and comment on adjustments to a proposed facility's location.

Department of Natural Resources and Conservation

HB 38 Increases from one million board feet to two million board feet the amount of timber that may be harvested on inaccessible state lands when an adjoining landowner grants access to only one potential buyer.

HB 58 Clarifies the procedure for calculating levies for conservation districts.

HB 110 Provides for the filing of exempt water right claims, sets filing fees and deadlines, and provides for supplemental preliminary decrees.

SB 24 Clarifies the valuation process for commercial leasing of state land and extends lease periods.

SB 39 Repeals the notification to and of the county commission regarding organization of conservation districts.

Department of Fish, Wildlife, And Parks

HB 97 Increases the block management landowner payment cap from \$12,000 to \$15,000. The legislature's intent is that the increase provides the opportunity for the Fish and Wildlife Commission to increase payments made to landowners on a per-hunter-day or equivalent basis by \$2 per year.

HB 108 Allocates two wild buffalo licenses to each tribe in Montana, except the Crow, for traditional purposes.

HB 128 Revises the waiting requirements for certain mountain sheep licenses.

HB 214 Eliminates the requirement that the Fort Peck Hatchery use water from the dredge cut and the limitation on the production of cold water fish at the hatchery.

SB 50 Allows for the use of digital carcass tags.

SB 52 Clarifies additional penalties for the use of artificial light.

Department of Agriculture

HB 82 Revises the list of vertebrate pests to include snakes, voles, and depredatory and nuisance birds, which are subject to department pest management. The list of vertebrate pests does not apply to nongame wildlife managed or protected by FWP.

HB 126 Revises the Montana Pesticides Act, including raising fees and adding day-care facilities, nursing homes, hospitals, and other educational and health care facilities as part of an integrated pest and pesticide management safety program.

SB 55 Revises licensing, fees, inspections, and penalties for plant nurseries.

Fire and Forestry

HB 38 Increases from one million board feet to two million board feet the amount of timber that may be harvested on inaccessible state lands when an adjoining landowner grants access to only one potential buyer.

HB 427 Provides that a real property owner is not liable for damages or injury resulting from acts or omissions by a volunteer firefighter while engaged in fire suppression activities on the owner's property.

HB 492 Revises laws governing consolidation of fire districts and fire service areas.

HB 644 Prohibits interference with aerial wildfire suppression.

HJ 9 Supports the release of wilderness study areas in Montana.

SB 46 Decreases the time required for distribution of federal forest reserve funds to Montana counties.

SB 281 Revises the use of fire suppression account funds and allows up to \$5 million to be used for certain purposes if the account's fiscal yearend balance exceeds \$40 million.

SB 324 Establishes good neighbor forestry accounts from which state and federal funds must be used for forest management activities conducted pursuant to the good neighbor policy established by the Department of Natural Resources and Conservation.

Licensing and Hunting

HB 108 Allocates two wild buffalo licenses to each tribe in Montana, except the Crow, for traditional purposes.

HB 128 Revises the waiting requirements for certain mountain sheep licenses.

HB 150 Clarifies the residency requirements for members of the armed forces and their spouses and dependents.

HB 183 Removes the sunset on outfitter assistant laws.

HB 289 Revises outfitter assistant laws.

HB 597 Creates the Montana public land access network grant program from which an individual or organization may seek funding to secure public access through private land to public land for which there is no other legal public access or to enhance existing access to public land. The grants are funded by private donations and require approval of the Board of Land Commissioners, and payments made to landowners are excluded from adjusted gross income.

HB 623 Allows for the purchase of bonus points without the purchase of a license, tag, or permit.

SB 50 Allows for the use of digital carcass tags.

SB 52 Clarifies additional penalties for the use of artificial light.

SB 91 Clarifies what constitutes as shooting from a vehicle for hunting purposes.

SB 119 Revises what licenses are available to certain nonresidents at a discount, including college students, youth, and nonresident relatives of residents.

SB 172 Allows the denial of hunting, fishing, or trapping licenses for failure to pay child support and other support debt or obligation.

SB 173 Prohibits the use or sale of certain urine as cover scent.

SB 218 Revises the apprentice hunter program to allow persons of any age to participate and disallows the purchase of certain licenses.

Fish and Wildlife Management

HB 166 Allows nonprofit retail food establishments to use commercially processed meat from wild game and fish taken in Montana in meals served to individuals at no charge.

HB 211 Requires FWP to report current sage grouse population numbers, including the number of leks, to the Montana Sage Grouse Oversight Team and the EQC annually. The report must include seasonal and historic population data.

HB 214 Eliminates the requirement that the Fort Peck Hatchery use water from the dredge cut and the limitation on the production of cold water fish at the hatchery.

HB 228 Revises funding for the sage grouse stewardship program.

HB 305 Revises laws related to county bounties on predators.

HJ 15 Urges the delisting of grizzly bears.

SB 84 Extends the paddlefish roe donation program.

SB 111 Makes it unlawful to feed wild turkeys.

SB 187 Prohibits importing certain animal parts from states that have chronic wasting disease.

Habitat

HB 434 Creates the Montana Wildlife Habitat Improvement Act and allows the use of federal funds to combat noxious weeds and restore wildlife habitat. The bill also creates a Wildlife Habitat Improvement Advisory Council.

HB 444 Redirects Jefferson Slough fund distribution for Eurasian watermilfoil mitigation.

HB 622 Revises laws related to invasive species, establishing the Invasive Species Council, the Upper Columbia Conservation Commission, a Missouri River containment and quarantine program, and an Upper Columbia pilot program, and revising the location and timing of inspections in the statewide invasive species management area. Requires annual reports by the Council and Commission to the EQC.

SB 363 Provides funding for aquatic invasive species programs via a hydroelectric facility fee, a fee on hydroelectric dependent cooperatives, and the creation of the aquatic invasive species prevention pass, which is a prerequisite to the purchase of a fishing license.

FWP Agency Administration

HB 97 Increases the block management landowner payment cap from \$12,000 to \$15,000. The legislature's intent is that the increase provides the opportunity for the Fish and Wildlife Commission to increase payments made to landowners on a per-hunter-day or equivalent basis by \$2 per year.

HB 311 Allows for veteran preference for certain block management areas on Veterans Day.

HB 434 Creates the Montana Wildlife Habitat Improvement Act and allows the use of federal funds to combat noxious weeds and restore wildlife habitat. The bill also creates a Wildlife Habitat Improvement Advisory Council.

HB 622 Revises laws related to invasive species, establishing the Invasive Species Council, the Upper Columbia Conservation Commission, a Missouri River containment and quarantine program, and an Upper Columbia pilot program, and revising the location and timing of inspections in the statewide invasive species management area. Requires annual reports by the Council and Commission to the EQC.

SB 183 Repeals the sunset on the Hunters Against Hunger program.

SB 213 Clarifies the use of Smith River revenues.

SB 363 Provides funding for aquatic invasive species programs via a hydroelectric facility fee, a fee on hydroelectric dependent cooperatives, and the creation of the aquatic invasive species prevention pass, which is a prerequisite to the purchase of a fishing license.

Recreation

HB 597 Creates the Montana public land access network grant program from which an individual or organization may seek funding to secure public access through private land to public land for which there is no other legal public access or to enhance existing access to public land. The grants are funded by private donations and require approval of the Board of Land Commissioners, and payments made to landowners are excluded from adjusted gross income.

HJ 9 Supports the release of wilderness study areas in Montana.

HB 240 Clarifies allowed use of groomed snowmobile trails with the snowmobile trail pass.

State Lands

HB 38 Increases from one million board feet to two million board feet the amount of timber that may be harvested on inaccessible state lands when an adjoining landowner grants access to only one potential buyer.

HB 316 Eliminates outdated reporting of state land equalization payments.

HB 498 Extends the sunset on the unlocking public lands program to December 31, 2027.

HB 597 Creates the Montana public land access network grant program from which an individual or organization may seek funding to secure public access through private land to public land for which

there is no other legal public access or to enhance existing access to public land. The grants are funded by private donations and require approval of the Board of Land Commissioners, and payments made to landowners are excluded from adjust gross income.

SB 15 Revises the collection of full market value by the Department of Natural Resources and Conservation when it issues an historic right-of-way deed.

SB 24 Clarifies the valuation process for commercial leasing of state land and extends lease periods.

SB 224 Exempts replacement water and sewer systems from subdivision review for the sale of state-owned cabin or home sites.

Mining

HB 156 Extends the statutory appropriation for the county payment from the hard-rock mining impact trust account to June 30, 2027.

HB 209 Temporarily increases the coal severance tax allocation to the coal natural resource account.

SB 140 Allows the Board of Investments to make loans to certain local governments from the permanent coal tax trust fund for the development and maintenance of infrastructure.

Permitting

HB 152 Allows counties to establish motor vehicle recycling and disposal capital improvement funds. Money in the fund may only be used for the replacement and acquisition of property, capital improvements, and equipment necessary to maintain and improve the county's motor vehicle recycling and disposal program.

Remediation

HB 216 Requires owners of wind generation facilities to submit a decommissioning plan and bond to the Department of Environmental Quality.

HB 344 Provides for a transfer of funds from the orphan share account to the coal bed methane protection account and appropriates money to the Department of Natural Resources and Conservation to allow conservation districts to administer the coal bed methane program.

SB 315 Revises laws related to the cleanup of the Libby asbestos superfund site, creating an advisory team, a trust fund and an operation and maintenance account, and a liaison, requiring the liaison to report to the director of the Department of Environmental Quality, and providing funding and appropriations.

SB 339 Establishes the Coal-Fired Generating Unit Remediation Act.

Land Use

HB 300 Exempts certain townhouses from certain sanitation regulations.

HB 407 Revises sanitation in subdivision rule requirements to allow for a well isolation zone for an individual water system well to extend outside of the boundaries of a subdivision under certain circumstances.

HB 507 Revises laws concerning sanitation review for proposed subdivisions, creating a pilot program to allow subdivision applicants to request a preapplication meeting with the reviewing authority and allowing a preliminary site assessment by a local board of health to determine whether the site meets applicable state and local sewage disposal requirements.

HB 510 Clarifies when certain subdivisions that are exempt from local subdivision review may be exempt from water and sanitation review, allowing for exemptions if storm water and municipal facilities information is provided to the Department of Environmental Quality or its designee.

SB 207 Makes confidential the location of any heritage properties or paleontological remains on or beneath land, rights-of-way, or easements obtained for a common carrier pipeline.

SB 219 Exempts certain parcels of land used to provide security for mortgages, liens, or trust indentures from the requirements of the Montana Subdivision and Platting Act.

SB 284 Revises the requirements for eligibility for sage grouse stewardship grant funding to include impacts on both habitat and populations and requires consideration of applicable US Fish and Wildlife Service policies in rulemaking by the Montana Sage Grouse Oversight Team.

Oil, Gas and Pipelines

HB 344 Transfers funds from the orphan share state special revenue account to the coal bed methane protection account and appropriates \$190,000 to the Department of Natural Resources and Conservation to support the CBM program and to address claims approved and pending.

SB 53 Repeals the tax incentive for increased biodiesel production.

SB 86 Revises the price of oil for which incremental production tax rates apply, reinstating the enhanced recovery tax incentive.

SB 101 Repeals state requirements for the mandatory use of gasoline blended with ethanol.

SB 207 Makes confidential the location of any heritage properties or paleontological remains on or beneath land, rights-of-way, or easements obtained for a common carrier pipeline.

SB 299 Requires public disclosure of fracturing fluid information in oil and gas operations. Establishes information to be disclosed and a process for requesting information be withheld.

State Administration and Veterans Affairs Related Legislation

For additional information on State Administration and Veterans Affairs Legislation, related to Elections click [HERE](#), for Campaign Practices click [HERE](#) for General State Government click [HERE](#), for Public Employee Retirement, click [HERE](#), for Teachers' Retirement click [HERE](#), for Military Affairs click [HERE](#), and for Veterans' Affairs, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [State Administration and Veteran's Affairs Interim Committee](#).

Elections

HB 83 Generally revises election laws.

HB 87 Transfers jury list duties from secretary of state to court administrator.

- HB 103** Generally revises election laws - administrative cleanup.
- HB 282** Grants county commission authority to correct certain election results.
- HB 287** Revises absentee ballot list confirmation laws.
- HB 388** Revises voter qualification & designation in irrigation district elections.
- HB 405** Revises laws applicable to local government.
- HB 447** Authorizes cancellation of local uncontested general elections by municipalities.
- SB 163** Revises election judge qualifications.
- SB 178** Revises when a primary must be held for county nonpartisan offices.
- SB 274** Revises and clarify special purpose district election laws.
- SB 352** Referendum on prohibition of ballot collection by certain individuals.

Campaign Practices

- HB 207** Revises number and time period for campaign reports.
- HB 288** Requires fee for presidential preference primary candidates.
- SB 3** Revises election expenditure laws related to candidate filing fee.
- SB 149** Revises times state officers and candidates file business disclosure.

General State Government

- HB 77** Revises public defender system, head to be hired by director of Dept. of Admin.
- HB 102** Extends bond validating act.
- HB 208** Provides that it is unlawful to retaliate against whistle blowers.
- HB 282** Requires agencies to report grant information.
- HB 601** Revises public safety communications laws.
- SB 43** Revises long-range building laws.
- SB 46** Revises laws on forest reserve money kept in state treasury.
- SB 54** Revises laws on approval of accounting system for state contractors.
- SB 152** Revises laws related to state employee pay and group benefits.
- SB 268** Revises transparency in state employee settlement laws.
- SB 294** Revises laws related to state government pay plans.

Public Employee Retirement

- HB 101** Generally revises MPERA retirement systems.

HB 383 Provides actuarial funding from SRS.

HB 648 Authorize transfers to implement general appropriations act, including allocation of coal severance tax to PERS.

Teachers' Retirement

HB 67 Generally revises TRS.

HB 68 Revises university system retirement plan participation requirements.

SB 121 Provides that volunteer positions are not reportable to TRS.

Military Affairs

HB 39 Adopts most recent federal laws applicable.

HB 84 Allows dissemination of confidential criminal justice information to Adjutant General.

HB 79 Modifies when military member may be turned over to civil authorities for trial.

HB 150 Clarifies FWP residency requirement for armed forces member, spouse, and dependent.

HB 307 Creates statutory appropriation for radioactive waste account.

SJ 16 Resolution commemorating anniversaries of MT military experiences.

SJ 28 Resolution recognizing the USS Billings.

SJ 29 Resolution recognizing the USS Montana.

Veterans

HB 118 Revises and funds state suicide prevention program (includes veteran suicide prevention).

HB 159 Designates Shelby veterans' memorial.

HB 271 Establishes honor and remember medallion for military service.

HB 279 Revises period for retention of unclaimed veteran remains.

HB 308 Apprenticeship tax credit with increased credit for veterans.

HB 311 Veteran preference for hunting access on certain block management areas on Veterans' Day.

HB 485 Revises driver's license laws related to veterans.

SB 303 Revises Montana veteran home loan laws.

SJ 32 Study emergency care provider training and scope of practice, including establishing a community veteran emergency care provider license endorsement type (see HB 538 and HB 612).

State-Tribal Relations Related Legislation

For additional information on State-Tribal Relations Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [State-Tribal Relations Interim Committee](#).

State Tribal Relations Committee Responsibilities

HB 118 Requires the Department of Public Health and Human Services (DPHHS) to report regularly to the appropriate interim committees on the use of its suicide prevention appropriations.

SB 309 Requires the State-Tribal Economic Development Commission to report on its activities to the State-Tribal Relations Committee.

Crimes

SB 310 Allows the Confederated Salish and Kootenai Tribes to reclaim jurisdiction over felony crimes committed by or against Indians on the Flathead Reservation.

Culture

HJ 5 Resolution recognizing the 138th anniversary of the Fort Robinson Breakout and commending participants in the annual Fort Robinson Memorial Breakout Run.

SB 319 Prohibits state agencies or local governments from preventing individuals from wearing traditional tribal regalia or objects of cultural significance at public events held or sponsored by the agency or government, including but not limited to award or graduation ceremonies and public meetings.

Economic Development

SB 309 Revises economic development laws related to Indian Country by adding a tribal member from the private sector to the Tourism Advisory Council, revising council duties to include oversight of distribution of funds to the State-Tribal Economic Development Commission on behalf of Indian tourism regions, and dedicating 0.5% of the lodging tax for activities in those regions. The bill defines Indian tourism regions as areas recognized as being historically associated with the seven federally recognized reservations in Montana and the Little Shell Chippewa Tribe.

Education

HB 37 Revises the Montana Indian Language Preservation Program (MILPP), extending the program's sunset to June 30, 2019, preserving sung language, revising submission requirements for tangible goods, allowing funding to be used as matching funds for federal or private funding sources, and appropriating \$1 million to the program for the biennium.

HB 113 Allows school districts receiving payments for Indian language immersion programs to use those funds as matching funds for federal or private funding sources.

HB 185 Creates the Montana Promise grant program to provide up to \$2 million in grants each fiscal year, subject to appropriation by the Legislature, to qualifying resident students enrolled at least half-time in a community or tribal college and taking courses that lead to the ability to transfer to another postsecondary institution, an associate degree, or a professional credential.

SB 6 Removes redundant language from the tribal college reimbursement statute (20-25-428, MCA).

Fish and Wildlife

HB 108 Allocates two wild buffalo licenses to each of seven tribes in Montana to harvest wild buffalo for traditional purposes. The tribal governments may designate the tribal members to receive the licenses. The licenses must be given at no charge.

HB 622 Revises laws related to invasive species, establishing an Invasive Species Council to which a member of each tribal government in Montana is appointed. The purpose of the council is to advise the governor on a science-based, comprehensive program to identify, prevent, eliminate, reduce, and mitigate invasive species in Montana and to coordinate with public and private partners to develop and implement statewide invasive species strategic plans. The bill also establishes an Upper Columbia Conservation Commission to which a representative of the CSKT is appointed. The purpose of the commission is to protect the aquatic environment in tributaries to the Columbia River from the threat of aquatic invasive species. The bill also establishes an Upper Columbia pilot program, administered by the Flathead Basin Commission, to enhance protections against aquatic invasive species in the Flathead Basin.

Health and Human Services

HR 3 and **SR 57** Resolutions urging the United States Congress to retain permanent reauthorization of the Indian Health Care Improvement Act when making changes to or repealing the Patient Protection and Affordable Care Act.

HB 118 Revises the state suicide prevention program to include providing grants to tribes, tribal and urban health organizations, local governments, schools, health care providers, professional associations, and other nonprofit and community organizations for development or expansion of evidence based suicide prevention programs. The bill appropriates \$500,000 for this biennium from the tobacco settlement to the DPHHS for suicide prevention grants. The bill also appropriates \$250,000 from the health and Medicaid initiatives account to DPHHS to assist state and tribal efforts to implement the action steps in the Montana native youth suicide reduction plan published in January 2017 and another \$250,000 for DPHHS to provide grants for school-based suicide prevention activities. The bill requires DPHHS to report regularly to the appropriate interim committees on the use of the appropriations.

Infrastructure

HB 6 Provides \$125,000 to the Crow Tribe for wastewater collection system improvements, \$125,000 to Poplar for wastewater system improvements, \$125,000 to Hot Springs for water system improvements, and \$125,000 to the Fort Peck Tribes for irrigation rehabilitation.

Local Government

HB 422 Allows the attorney general to review complaints of misconduct by a local government public officer and allows the withholding of certain payments if a local government fails to meet certain deadlines for financial reporting, budgeting, and fixing of tax levies or fails to remit any amounts collected on behalf of or owed to the state or another taxing jurisdiction.

Taxes

HB 473 Increases the gas tax from 27 cents per gallon to 31.5 cents in FY 2018 and 2019, 32 cents in FY 2020 and 2021, 32.5 cents in FY 2022, and 33 cents in FY 2023 and thereafter. As a result, the per capita revenue share distributed to tribes pursuant to agreements with the state will also increase proportionally.

Water

SB 287 Transfers \$14 million from the Blackfeet Tribe water rights compact infrastructure account to the Blackfeet Tribe water rights compact mitigation account and requires the funds to be spent pursuant to the Birch Creek agreement.

Tax Related Legislation

For additional information on Tax Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Revenue and Transportation Interim Committee](#).

Revenue and Transportation Interim Committee

The Revenue and Transportation Interim Committee requested six of the enacted tax bills: House Bill No. 18, House Bill No. 30, House Bill No. 74, House Bill No. 76, Senate Bill No. 10, and Senate Bill No. 27, which are marked below with asterisks.

Administration

HB 112 Revises dispute review procedures for collection of delinquent taxes to be consistent with other dispute review procedures in Title 15, provides for new informal procedures for collecting of delinquent taxes, provides additional time for review, and provides rulemaking authority.

SB 137 Revises taxpayer dispute resolution procedures, provides a taxpayer option to bypass the Department of Revenue's dispute resolution office, requires informal discovery in certain cases, and provides rulemaking authority.

SB 317 Revises interest assessments on certain taxes, and provides that interest assessments on all taxes other than delinquent individual income taxes are based on the prime interest rate published by the federal reserve system plus 3 percentage points.

Individual Income and Corporate Income Taxes

HB 42 Revises the filing deadline for partnerships to align with the federal filing deadline.

HB 63 Revises laws related to annual wage and tax statements, revises the filing date for employers to file annual wage and tax statements and royalty and tax statements to align with the federal filing deadline, and revises the remittance due date for employers on an annual payment schedule to align with the due date for annual wage and tax statements.

HB 175 Revises medical care savings account laws, revises the contribution limits for medical care savings accounts, allows the use of medical care savings account funds for reimbursement of time used for family leave, allows a parent or child to inherit a medical care savings account tax-free, allows medical care savings account funds to be used for eligible medical expenses of anyone, allows medical care savings account funds to be used for eligible medical expenses of a deceased account holder within 1 year of death, and requires annual reporting of the starting balance and ending balance of the account.

HB 308 Creates an income tax credit program for employers of registered apprentices, includes an increased credit for employing veterans, provides that the credits be taken against individual income tax and corporate income tax liabilities, and provides rulemaking authority.

HB 391 Allows for a refundable earned income credit based on a percentage of the federal earned income credit, provides that the credit may not be claimed for certain income.

HB 511 Revises income tax laws, revises the Multistate Tax Compact to adopt revisions recommended by the Multistate Tax Commission, including to provide for market sourcing of sales, revises Montana's corporate income tax to adopt changes that generally conform with revisions to Article IV of the Multistate Tax Compact, and revises laws related to the calculation of Montana source income for partnerships, s. corporations, and certain disregarded entities.

HB 550 Revises laws related to the net operating loss deduction for corporate income tax purposes, revises the carryback and carryover periods, and limits a net operating loss carryback.

HB 574 Allows for business deductions on a state income tax return where the deduction has been reduced as a result of calculating and claiming a federal credit based on the deduction.

***SB 10** Repeals the refundable income tax credit for statewide equalization property tax levies on a principal residence.

SB 138 Revises income tax examination and collection laws, creates a taxpayer refund procedure for recovery of a payment of tax after expiration of the statute of limitations for assessment of additional tax, and provides rulemaking authority.

SB 252 Provides a waiver from filing of a composite return or withholding of tax for certain domestic second-tier pass-through entities, and revises definitions.

Miscellaneous

***HB 18** Revises the process for the sale of a tax lien and issuance of a tax deed for delinquent taxes, eliminates the tax lien sale, requires the county to assign a tax lien to an assignee who pays delinquent taxes, revises notification and notice requirements related to the attachment of a tax lien and issuance of a tax deed, requires a delinquent taxpayer to only pay the property taxes currently due before paying delinquent taxes, allows an assignee to pay subsequent year delinquent taxes only after the taxes are delinquent, allows cancellation of a tax lien attached or assigned in error, revises the time period for which real property taxes must be delinquent before the county commission may consider cancellation, and repeals county treasurer duties related to county contractual obligations for seed grain, feed, or other relief.

HB 565 Revises the entitlement share payment laws, revises entitlement share growth rates for fiscal years 2018 and 2019, revises the growth rate for the reimbursement for class eight tax rate reductions and exemptions, and provides reasons for which an entitlement share payment must be withheld.

SB 333 Revises the Montana Medical Marijuana Act, requires seed-to-sale tracking, requires licensing of dispensaries and endorsements for chemical manufacturing, establishes requirements for testing laboratories, revises allowable amounts, requires testing of samples collected during inspections, eliminates the requirements for a parent to serve as a minor's provider, establishes a tax on providers, establishes a fee for dispensaries, provides definitions, and provides rulemaking authority.

Natural Resource Taxes

HB 209 Temporarily increases the coal severance tax allocation to the coal natural resource account, and establishes the increase until June 30, 2019.

SB 86 Revises the tax for certain oil production, and revises the price of oil for which incremental production tax rates apply.

Property Tax

HB 43 Clarifies property valuation informal review and appeal deadlines, provides deadlines for informal reviews and appeals in the second or subsequent year of the valuation cycle.

***HB 74** Clarifies amendments to property tax laws enacted by the 64th Legislature.

HB 115 Revises the requirements related to which guides must be used for valuing agricultural implements and machinery, and providing rulemaking authority.

HB 224 Provides that the property tax exemption for veterans' organizations extends to property rented, leased, or used by the organization.

HB 226 Allows for an increase of the abatement for new or expanding industry.

HB 345 Revises the definition of "livestock" for purposes of the per capita fee on livestock, and provides that honey bees are included in the definition of "livestock".

HB 516 Allows for a civil action to collect delinquent property taxes, specifies who can bring the action, and allows for the awarding of attorney fees.

HB 554 Clarifies eligibility for property tax assistance programs.

HB 583 Provides for assessment, classification, and valuation of certain land that is not used as forest land, requires any separation of property from forest land for other purposes to be classified according to use, and classifies the 1 acre beneath a residence on forest land as class four property that is valued at market value.

HB 614 Exempts pulse processing equipment from property taxation.

SB 85 Submits a 6-mill levy for continued support of the Montana University System to the electorate.

SB 94 Provides for a property tax exemption for certain residential property when land value is disproportionately higher than the value of the associated improvements, restricts the exemption to primary residences, provides for a land value that is no less than the statewide average value of class four residential land, creates application criteria, provides definitions, provides for notification to the public regarding the exemption, and provides rulemaking authority.

SB 132 Repeals the termination date for the exemption for certain air and water pollution control and carbon capture equipment and for the reduction in value for carbon transportation and sequestration equipment.

SB 180 Clarifies which airlines are regularly scheduled airlines for purposes of central assessment.

SB 324 Revises property tax exemption laws, requires the Department of Revenue to notify the county treasurer when property within a county becomes tax exempt, requires certain tenants of tax-exempt housing to satisfy age and income guidelines, and provides rulemaking authority.

SB 359 Provides for property taxation and classification of qualified data centers and related property, creates a class seventeen property tax classification for qualified data centers, provides for local assessment of qualified data centers and central assessment of dedicated communications infrastructure, provides a reduced tax rate for dedicated communications infrastructure for a 15-year period, provides for new or expanding industry property tax abatements, and provides definitions.

Tax Increment Financing

***HB 30** Amends tax increment provisions related to certain local mill levies, exempts levies voted on after the adoption of tax increment financing.

***HB 76** Requires remittances of unused tax increment to be made proportionally to all affected taxing jurisdictions.

HB 396 Revises laws related to tax increment financing, and requires consultation with affected local taxing jurisdictions when adopting tax increment financing provisions as part of an urban renewal plan or a targeted economic development district comprehensive plan and when modifying an urban renewal plan related to the use of general obligation bonds.

***SB 27** Revises tax increment financing laws, requires a public meeting with opportunity for public comment for urban renewal agencies, requires local government annual financial reports to include information on the financial activities of districts using tax increment financing, and requires an urban renewal agency to include certain additional information in its annual report.

Transportation Related Legislation

For additional information on Transportation Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Revenue and Transportation Interim Committee](#).

Fuel Taxes

HB 466 Allows use of certain credit or debit card purchases to estimate agricultural usage of special fuel, and requires a receipt that identifies the purchaser and address of purchase as evidence of a credit or debit card purchase.

HB 473 Revises highway funding laws, revises laws concerning the deposit and expenditure of highway revenue, establishes a highway restricted account and a bridge and road safety and accountability restricted account, increases the fuel tax and special fuel tax, provides that the new revenue must fund highway projects and local road projects, provides for a local government road match program, requires a performance audit of the Department of Transportation, requires the Department of Transportation to publish a website showing projects funded with the increased revenue, and provides a statutory appropriation and an appropriation.

Miscellaneous

HB 92 Authorizes the transportation commission to award alternative project delivery contracts, limits the number of projects authorized, requires a report, and provides rulemaking authority.

HB 509 Establishes the David L. Briese Jr. Memorial Highway in Yellowstone County, and directs the Department of Transportation to install signs at the location and to include the memorial highway on the next state highway map.

HB 644 Revises laws relating to wildfires and unmanned aerial vehicle systems, prohibits interference with wildfire suppression efforts including by the use of unmanned aerial vehicle systems, restricts governmental entities with self-governing powers from enacting ordinances governing the private use of an unmanned aerial vehicle in relation to a wildfire, and provides penalties.

SB 33 Exempts traffic signs, traffic control devices, and street lighting from the requirements of the state building code.

SB 231 Establishes the Senator Conrad Burns Memorial Highway, and directs the Department of Transportation to install signs at the location and to include the location on the next publication of the state highway map.

Oversize and Overweight Loads

HB 41 Increases the allowable dimensions of certain automobile transporters to conform with federal law, and provides definitions.

Traffic Control and Safety

HB 471 Allows a driver to exceed a speed limit when in a passing zone.

SB 182 Requires the Department of Transportation to inform the public regarding certain highway construction projects, and requires the Department of Transportation to establish and maintain lists of government entities and organizations likely to have interest in or be impacted by a construction project.

SB 195 Revises laws related to traffic violations in work zones, and clarifies work zone traffic violation penalties.

Water Policy Legislation

For additional information on Water Legislation, click [HERE](#). These topics are generally covered during the legislative interim by the Legislature's [Water Policy Interim Committee](#).

WPIC Bills

HB 48 Clarifies that a change in the method of irrigation does not trigger the DNRC process for other changes in a water right.

HB 49 Allows the transfer of a water right to occur based on information from the Department of Revenue or the DNRC.

HB 99 Limits DNRC analysis of adverse effects to other water rights holders during the water right permitting process if a senior water rights holder files a written consent to approval for that permit.

HB 124 Requires a water commissioner to have completed DNRC training before administering water, unless excused by a district court judge.

HB 140 Clarifies that owners of 15 percent of the flow rate affected by a water rights decree could petition for enforcement of their rights through a district court and a water commissioner.

SB 28 Allows a party aggrieved by an agency decision on a water rights permit or change to appeal to the Montana Water Court, which is in addition to a district court.

General Water Policy

HB 110 Clarifies the process for filing "exempt" water right claims, including changes to filing fees and a deadline.

HB 337 Requires the DNRC to reissue a report on water reservations by 2026.

HB 360 Establishes the Surface Water Assessment and Monitoring Program at the Montana Bureau of Mines and Geology.

HB 368 Removes a 500-foot setback requirement between sewage lagoons and groundwater wells.

HB 407 Revises sanitation in subdivision rule requirements to allow for a well isolation zone for an individual water system well to extend outside of the boundaries of a subdivision under certain circumstances.

HB 424 Makes projects in source watersheds or for soil and range are available for the DNRC's Renewable Resource Grant and Loan Program.

HB 429 Clarifies exempt appropriations of water to include emergency fire training and emergency fire-related operations.