

HOUSE BILL NO. 611

INTRODUCED BY D. SKEES

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO IMMIGRATION AND
5 REFUGEES; PROHIBITING STATE AGENCIES AND LOCAL GOVERNMENTS FROM ENACTING OR
6 ENFORCING CERTAIN POLICIES CONCERNING CITIZENSHIP AND IMMIGRATION; PROHIBITING THE
7 DISTRIBUTION OF CERTAIN FUNDS AND GRANTS TO LOCAL GOVERNMENTS UNDER CERTAIN
8 CIRCUMSTANCES; REQUIRING THE ATTORNEY GENERAL TO INVESTIGATE AND ENFORCE CERTAIN
9 PROVISIONS; ALLOWING COMPLIANCE ACTIONS; PROVIDING DEFINITIONS, PENALTIES, AND AN
10 APPROPRIATION; AMENDING SECTIONS 15-1-121, 15-23-703, 15-36-332, 20-9-310, 90-6-209, AND
11 90-6-710, MCA; AND PROVIDING AN EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14

15 NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 5], the following
16 definitions apply:

- 17 (1) "Local government" means a municipality, a county, or a consolidated city-county government.
- 18 (2) "Policy" means a formal or informal rule, order, ordinance, or policy, whether written or unwritten.
- 19 (3) "State agency" means an office, position, commission, committee, board, department, council,
20 division, bureau, section, or any other entity or instrumentality of the executive branch of state government.
- 21 (4) "State legislator with an interest in the current or future appropriation of state funds" means a state
22 legislator serving during the regular Montana legislative session, or, during the interim between regular legislative
23 sessions, a holdover senator or an unopposed representative in the Montana legislature.

24
25 NEW SECTION. **Section 2. Sanctuary jurisdiction prohibited -- exception.** (1) Except as provided
26 by subsection (2), a state agency or local government may not enact, adopt, implement, enforce, or refer to the
27 electorate a policy that prohibits or restricts a government entity, official, or employee from:

- 28 (a) sending to, receiving from, exchanging with, or maintaining for a federal, state, or local government
29 entity information regarding a person's citizenship or immigration status; or
- 30 (b) complying with an immigration detainer request or a notification request concerning the release of



1 an individual if the request is lawfully made by the United States department of homeland security acting pursuant
2 to its authority under sections 8 U.S.C 1226 and 1357 as those sections read on [the effective date of this act].

3 (2) A state agency or local government may not be considered in violation of this section solely based
4 on a policy otherwise subject to subsection (1) that exclusively concerns an individual who comes forward as a
5 victim of or a witness to a criminal offense.

6
7 **NEW SECTION. Section 3. Monitoring and compliance.** The attorney general shall monitor state and
8 local government compliance with the provisions of [section 2], investigate compliance complaints, and take
9 appropriate enforcement actions against a state or local government violating the provisions of [section 2].

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11 **NEW SECTION. Section 4. Standing and venue.** (1) The attorney general or a state legislator with
12 an interest in the current or future appropriation of state funds has standing to bring a civil action under this part
13 to compel compliance by the state agency or local government and to enjoin the distribution of funds as provided
14 in [section 5].

15 (2) An action under [sections 1 through 5] must be instituted in the state district court for the county
16 where the local government or state agency is located.

17
18 **NEW SECTION. Section 5. Penalties -- exemptions -- attorney fees and costs.** (1) In addition to any
19 other penalties or remedies provided by law, and except as provided in subsection (4), a state agency or local
20 government that violates the provisions of [section 2] shall be punished by a fine of \$10,000 every 5 calendar
21 days that the state agency or local government is not in compliance with the provisions of [section 2].

22 (2) Except as provided by subsection (4), a local government in violation of [section 2] may not:

23 (a) receive distributions of:

24 (i) the local government's entitlement share provided in 15-1-121;

25 (ii) the local government's share of oil and natural gas production taxes provided in 15-36-332; or

26 (iii) the coal gross proceeds tax in 15-23-703. The county treasurer shall distribute the county shares
27 to the state general fund.

28 (b) receive new grants awarded under the provisions of Title 90, chapter 6, part 2; or

29 (c) have projects prioritized or recommended by the department of commerce for infrastructure projects
30 under the provisions of Title 90, chapter 6, part 7.

1 (3) If the attorney general determines that the funds or a portion of the funds withheld pursuant to
2 subsection (2) are necessary for law enforcement purposes, the attorney general may authorize the department
3 of revenue to distribute the funds or a portion of the funds.

4 (4) A state agency or local government may not be penalized under this section if the state or local
5 government comes into compliance with the provisions of [sections 1 through 5] within 14 calendar days after the
6 filing of an action under [section 4].

7 (5) A fine collected pursuant to this section must be deposited in the state general fund.

8 (6) The court may award costs and reasonable attorney fees to a legislator who prevails in an action
9 brought under [section 4].

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11 **NEW SECTION. Section 6. Sanctuary jurisdiction prohibited.** A local government as defined in
12 [section 1] may not enact, adopt, implement, enforce, or refer to the electorate a policy described by [section 2].

13
14 **Section 7.** Section 15-1-121, MCA, is amended to read:

15 **"15-1-121. Entitlement share payment -- purpose -- appropriation.** (1) As described in 15-1-120(3),
16 each local government is entitled to an annual amount that is the replacement for revenue received by local
17 governments for diminishment of property tax base and various earmarked fees and other revenue that, pursuant
18 to Chapter 574, Laws of 2001, amended by section 4, Chapter 13, Special Laws of August 2002, and later
19 enactments, were consolidated to provide aggregation of certain reimbursements, fees, tax collections, and other
20 revenue in the state treasury with each local government's share. The reimbursement under this section is
21 provided by direct payment from the state treasury rather than the ad hoc system that offset certain state
22 payments with local government collections due the state and reimbursements made by percentage splits, with
23 a local government remitting a portion of collections to the state, retaining a portion, and in some cases sending
24 a portion to other local governments.

25 (2) The sources of dedicated revenue that were relinquished by local governments in exchange for an
26 entitlement share of the state general fund were:

27 (a) personal property tax reimbursements pursuant to sections 167(1) through (5) and 169(6), Chapter
28 584, Laws of 1999;

29 (b) vehicle, boat, and aircraft taxes and fees pursuant to:

30 (i) Title 23, chapter 2, part 5;

- 1 (ii) Title 23, chapter 2, part 6;
2 (iii) Title 23, chapter 2, part 8;
3 (iv) 61-3-317;
4 (v) 61-3-321;
5 (vi) Title 61, chapter 3, part 5, except for 61-3-509(3), as that subsection read prior to the amendment
6 of 61-3-509 in 2001;
7 (vii) Title 61, chapter 3, part 7;
8 (viii) 5% of the fees collected under 61-10-122;
9 (ix) 61-10-130;
10 (x) 61-10-148; and
11 (xi) 67-3-205;
12 (c) gaming revenue pursuant to Title 23, chapter 5, part 6, except for the permit fee in 23-5-612(2)(a);
13 (d) district court fees pursuant to:
14 (i) 25-1-201, except those fees in 25-1-201(1)(d), (1)(g), and (1)(j);
15 (ii) 25-1-202;
16 (iii) 25-9-506; and
17 (iv) 27-9-103;
18 (e) certificate of title fees for manufactured homes pursuant to 15-1-116;
19 (f) financial institution taxes collected pursuant to the former provisions of Title 15, chapter 31, part 7;
20 (g) all beer, liquor, and wine taxes pursuant to:
21 (i) 16-1-404;
22 (ii) 16-1-406; and
23 (iii) 16-1-411;
24 (h) late filing fees pursuant to 61-3-220;
25 (i) title and registration fees pursuant to 61-3-203;
26 (j) veterans' cemetery license plate fees pursuant to 61-3-459;
27 (k) county personalized license plate fees pursuant to 61-3-406;
28 (l) special mobile equipment fees pursuant to 61-3-431;
29 (m) single movement permit fees pursuant to 61-4-310;
30 (n) state aeronautics fees pursuant to 67-3-101; and

1 (o) department of natural resources and conservation payments in lieu of taxes pursuant to Title 77,
2 chapter 1, part 5.

3 (3) (a) Except as provided in subsection (3)(b), the total amount received by each local government in
4 the prior fiscal year as an entitlement share payment under this section is the base component for the subsequent
5 fiscal year distribution, and in each subsequent year the prior year entitlement share payment, including any
6 reimbursement payments received pursuant to subsection (7), is each local government's base component.
7 Subject to subsection (3)(b), the sum of all local governments' base components is the fiscal year entitlement
8 share pool.

9 (b) For fiscal year 2016, the fiscal year entitlement share pool is reduced by \$1,049,904.

10 (4) (a) Subject to subsection (3)(b), the base entitlement share pool must be increased annually by an
11 entitlement share growth rate as provided for in this subsection (4). The amount determined through the
12 application of annual growth rates is the entitlement share pool for each fiscal year.

13 (b) By October 1 of each year, the department shall calculate the growth rate of the entitlement share
14 pool for the next fiscal year in the following manner:

15 (i) The department shall calculate the entitlement share growth rate based on the ratio of two factors of
16 state revenue sources for the first, second, and third most recently completed fiscal years as recorded on the
17 statewide budgeting and accounting system. The first factor is the sum of the revenue for the first and second
18 previous completed fiscal years received from the sources referred to in subsections (2)(b), (2)(c), and (2)(g)
19 divided by the sum of the revenue for the second and third previous completed fiscal years received from the
20 same sources multiplied by 0.75. The second factor is the sum of the revenue for the first and second previous
21 completed fiscal years received from individual income tax as provided in Title 15, chapter 30, and corporate
22 income tax as provided in Title 15, chapter 31, divided by the sum of the revenue for the second and third
23 previous completed fiscal years received from the same sources multiplied by 0.25.

24 (ii) Except as provided in subsection (4)(b)(iii), the entitlement share growth rate is the lesser of:

25 (A) the sum of the first factor plus the second factor; or

26 (B) 1.03 for counties, 1.0325 for consolidated local governments, and 1.035 for cities and towns.

27 (iii) In no instance can the entitlement growth factor be less than 1. Subject to subsection (4)(b)(iv), the
28 entitlement share growth rate is applied to the most recently completed fiscal year entitlement payment to
29 determine the subsequent fiscal year payment.

30 (iv) For fiscal year 2016, the entitlement share growth rate is applied to the most recently completed fiscal

1 year entitlement payment minus \$1,049,904 to determine the subsequent fiscal year payment.

2 (5) As used in this section, "local government" means a county, a consolidated local government, an
3 incorporated city, and an incorporated town. A local government does not include a tax increment financing
4 district provided for in subsection (8). The county or consolidated local government is responsible for making an
5 allocation from the county's or consolidated local government's share of the entitlement share pool to each special
6 district within the county or consolidated local government in a manner that reasonably reflects each special
7 district's loss of revenue sources for which reimbursement is provided in this section. The allocation for each
8 special district that existed in 2002 must be based on the relative proportion of the loss of revenue in 2002.

9 (6) (a) The entitlement share pools calculated in this section, the amounts determined under 15-1-123(2)
10 for local governments, the funding provided for in subsection (8) of this section, and the amounts determined
11 under 15-1-123(4) for tax increment financing districts are statutorily appropriated, as provided in 17-7-502, from
12 the general fund to the department for distribution to local governments. Except for the distribution made under
13 15-1-123(2)(b), the distributions must be made on a quarterly basis.

14 (b) (i) The growth amount is the difference between the entitlement share pool in the current fiscal year
15 and the entitlement share pool in the previous fiscal year. The growth factor in the entitlement share must be
16 calculated separately for:

- 17 (A) counties;
18 (B) consolidated local governments; and
19 (C) incorporated cities and towns.

20 (ii) In each fiscal year, the growth amount for counties must be allocated as follows:

21 (A) 50% of the growth amount must be allocated based upon each county's percentage of the prior fiscal
22 year entitlement share pool for all counties; and

23 (B) 50% of the growth amount must be allocated based upon the percentage that each county's
24 population bears to the state population not residing within consolidated local governments as determined by the
25 latest interim year population estimates from the Montana department of commerce as supplied by the United
26 States bureau of the census.

27 (iii) In each fiscal year, the growth amount for consolidated local governments must be allocated as
28 follows:

29 (A) 50% of the growth amount must be allocated based upon each consolidated local government's
30 percentage of the prior fiscal year entitlement share pool for all consolidated local governments; and

1 (B) 50% of the growth amount must be allocated based upon the percentage that each consolidated local
 2 government's population bears to the state's total population residing within consolidated local governments as
 3 determined by the latest interim year population estimates from the Montana department of commerce as
 4 supplied by the United States bureau of the census.

5 (iv) In each fiscal year, the growth amount for incorporated cities and towns must be allocated as follows:

6 (A) 50% of the growth amount must be allocated based upon each incorporated city's or town's
 7 percentage of the prior fiscal year entitlement share pool for all incorporated cities and towns; and

8 (B) 50% of the growth amount must be allocated based upon the percentage that each city's or town's
 9 population bears to the state's total population residing within incorporated cities and towns as determined by the
 10 latest interim year population estimates from the Montana department of commerce as supplied by the United
 11 States bureau of the census.

12 (v) In each fiscal year, the amount of the entitlement share pool before the growth amount or adjustments
 13 made under subsection (7) are applied is to be distributed to each local government in the same manner as the
 14 entitlement share pool was distributed in the prior fiscal year.

15 (7) If the legislature enacts a reimbursement provision that is to be distributed pursuant to this section,
 16 the department shall determine the reimbursement amount as provided in the enactment and add the appropriate
 17 amount to the entitlement share distribution under this section. The total entitlement share distributions in a fiscal
 18 year, including distributions made pursuant to this subsection, equal the local fiscal year entitlement share pool.
 19 The ratio of each local government's distribution from the entitlement share pool must be recomputed to
 20 determine each local government's ratio to be used in the subsequent year's distribution determination under
 21 subsections (6)(b)(ii)(A), (6)(b)(iii)(A), and (6)(b)(iv)(A).

22 (8) (a) Except for a tax increment financing district entitled to a reimbursement under 15-1-123(4), if a
 23 tax increment financing district was not in existence during the fiscal year ending June 30, 2000, then the tax
 24 increment financing district is not entitled to any funding. If a tax increment financing district referred to in
 25 subsection (8)(b) terminates, then the funding for the district provided for in subsection (8)(b) terminates.

26 (b) Except for the reimbursement made under 15-1-123(4)(b), one-half of the payments provided for in
 27 this subsection (8)(b) must be made by November 30 and the other half by May 31 of each year. Subject to
 28 subsection (8)(a), the entitlement share for tax increment financing districts is as follows:

29 Deer Lodge	TIF District 1	\$2,833
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1	Deer Lodge	TIF District 2	2,813
2	Flathead	Kalispell - District 2	4,638
3	Flathead	Kalispell - District 3	37,231
4	Flathead	Whitefish District	148,194
5	Gallatin	Bozeman - downtown	31,158
6	Missoula	Missoula - 1-1C	225,251
7	Missoula	Missoula - 4-1C	30,009
8	Silver Bow	Butte - uptown	255,421

9 (9) The estimated fiscal year entitlement share pool and any subsequent entitlement share pool for local
 10 governments do not include revenue received from tax increment financing districts, from countywide
 11 transportation block grants, or from countywide retirement block grants.

12 (10) When there has been an underpayment of a local government's share of the entitlement share pool,
 13 the department shall distribute the difference between the underpayment and the correct amount of the
 14 entitlement share. When there has been an overpayment of a local government's entitlement share, the local
 15 government shall remit the overpaid amount to the department.

16 (11) A local government may appeal the department's estimation of the base component, the entitlement
 17 share growth rate, or a local government's allocation of the entitlement share pool, according to the uniform
 18 dispute review procedure in 15-1-211.

19 (12) A payment required pursuant to this section may not be offset by a debt owed to a state agency by
 20 a local government in accordance with Title 17, chapter 4, part 1.

21 (13) (a) A payment required pursuant to this section to a local government that is in violation of [section
 22 2] must be withheld pursuant to the provisions of [section 5].

23 (b) For the purposes of this subsection (13), "local government" has the meaning provided by [section
 24 1]."

25
 26 **Section 8.** Section 15-23-703, MCA, is amended to read:

27 **"15-23-703. Taxation of gross proceeds -- taxable value for nontax purposes.** (1) (a) The
 28 department shall compute from the reported value of coal gross proceeds a tax roll that must be transmitted to
 29 the county treasurer on or before September 15 of each year. The department may not levy or assess any mills

1 against coal gross proceeds but shall, subject to subsection (1)(b) and except as provided in subsection (1)(c),
2 levy a tax of 5% against the value of coal as provided in 15-23-701(4). The county treasurer shall give full notice
3 to each coal producer of the taxes due and shall collect the taxes.

4 (b) If the county grants a tax abatement for production from a new or expanding underground mine as
5 provided in 15-23-715, the department shall levy a tax at a rate that would, after providing for payment to the state
6 of the amount attributable to all applicable state mill levies as if the tax rate were 5%, reduce the tax received by
7 county taxing jurisdictions and any school district on the new or expanded production by the percentage amount
8 of the tax abated by the county under 15-23-715.

9 (c) (i) For tax years beginning after December 31, 2011, the initial tax on coal mined from a new
10 underground coal mine is 2.5% against the value of coal as provided in 15-23-701(4) for the first 10 years of coal
11 production. After 10 years, coal production from the mine is taxed as provided in subsection (1)(a).

12 (ii) For tax years beginning on or after January 1, 2011, and ending December 31, 2020, the initial tax
13 rate under subsection (1)(c)(i) applies to coal mined from an existing underground coal mine producing coal from
14 the mine as of December 31, 2010. For tax years beginning after December 31, 2020, coal production is taxed
15 as provided in subsection (1)(a).

16 (2) For all nontax purposes, the taxable value of the gross proceeds of coal is 45% of the contract sales
17 price as defined in 15-35-102.

18 (3) (a) Except as provided in subsections (4) and (7) and subject to subsection (3)(b), coal gross
19 proceeds taxes must be allocated to the state, county, and school districts in the same relative proportions as
20 the taxes were distributed in fiscal year 1990.

21 (b) The county treasurer shall multiply the coal gross proceeds taxes collected in the county under this
22 part by the relative proportions determined for the state, county, and school districts under subsection (3)(a).
23 Those amounts must be distributed as follows:

24 (i) the state share must be distributed in the relative proportions required by levies for state purposes
25 in the same manner as property taxes were distributed in fiscal year 1990;

26 (ii) except as provided in subsection (5), the county share must be distributed in the relative proportions
27 required by levies for county purposes, other than an elementary school or high school, in the same manner as
28 property taxes were distributed in the previous fiscal year;

29 (iii) except as provided in subsection (6), the school districts' share must be distributed in the relative
30 proportions required by levies for school district purposes in the same manner as property taxes were distributed

1 in the previous fiscal year.

2 (4) If there is a distribution of coal gross proceeds from a new or expanding underground mine with a
3 tax abatement as provided under 15-23-715, the county treasurer shall distribute:

4 (a) the state's share of the coal gross proceeds determined under subsection (1)(b) in the relative
5 proportion required by the appropriate levies for state purposes; and

6 (b) the county's share and any school district's share of the coal gross proceeds determined under
7 subsection (1)(b) as provided in this section.

8 (5) The board of county commissioners of a county may direct the county treasurer to reallocate the
9 distribution of coal gross proceeds taxes that would have gone to a taxing unit, as provided in subsection (3)(b)(i),
10 to another taxing unit or taxing units, other than an elementary school or high school, within the county under the
11 following conditions:

12 (a) The county treasurer shall first allocate the coal gross proceeds taxes to the taxing units within the
13 county in the same proportion that all other property tax proceeds were distributed in the county in the previous
14 fiscal year.

15 (b) If the allocation in subsection (5)(a) exceeds the total budget of a taxing unit, the commissioners may
16 direct the county treasurer to reallocate the excess to any taxing unit within the county.

17 (6) The board of trustees of an elementary or high school district may reallocate the coal gross proceeds
18 taxes distributed to the district by the county treasurer under the following conditions:

19 (a) The district shall first allocate the coal gross proceeds taxes to the budgeted funds of the district in
20 the same proportion that all other property tax proceeds were distributed in the district in the previous fiscal year.

21 (b) If the allocation under subsection (6)(a) exceeds the total budget for a fund, the trustees may
22 reallocate the excess to any budgeted fund of the school district.

23 (7) Except as provided in subsections (8) and (9), the county treasurer shall credit all taxes collected
24 under this part from coal mines that began production after December 31, 1988, in the relative proportions
25 required by the levies for state, county, and school district purposes in the same manner as property taxes were
26 distributed in the previous fiscal year.

27 (8) The board of county commissioners of a county may direct the county treasurer to reallocate the
28 distribution of coal gross proceeds under subsection (7) in the same manner as provided in subsection (5).

29 (9) The board of trustees of an elementary or high school district may reallocate the coal gross proceeds
30 taxes distributed to the district by the county treasurer under subsection (7) in the same manner as provided in

1 subsection (6).

2 (10) (a) If a county is in violation of [section 2], the county treasurer shall distribute the payment of the
 3 county's shares under this section to the state general fund pursuant to the provisions of [section 5].

4 (b) This provision may not be construed to impact a school district's share of the coal gross proceeds."
 5

6 **Section 9.** Section 15-36-332, MCA, is amended to read:

7 **"15-36-332. (Temporary) Distribution of taxes to taxing units -- appropriation.** (1) (a) Subject to
 8 20-9-310 and subsection (9) of this section, by the dates referred to in subsection (6) of this section, the
 9 department shall distribute oil and natural gas production taxes allocated under 15-36-331(3) to each eligible
 10 county.

11 (b) ~~By~~ Except as provided by subsection (9), by the dates referred to in subsection (6), the department
 12 shall distribute the amount deposited in the oil and gas natural resource distribution account under
 13 15-36-331(2)(b) as provided in subsection (7) of this section.

14 (2) (a) Each county treasurer shall distribute the amount of oil and natural gas production taxes
 15 designated under subsection (1)(a), including the amounts referred to in subsection (2)(b), to the countywide
 16 elementary and high school retirement funds, countywide transportation funds, and eligible school districts
 17 according to the following schedule:

	Elementary Retirement	High School Retirement	Countywide Transportation	School Districts
20 Big Horn	14.81%	10.36%	2.99%	26.99%
21 Blaine	5.86%	2.31%	2.71%	24.73%
22 Carbon	3.6%	6.62%	1.31%	49.18%
23 Chouteau	8.1%	4.32%	3.11%	23.79%
24 Custer	6.9%	3.4%	1.19%	31.25%
25 Daniels	0	7.77%	3.92%	48.48%
26 Dawson	5.53%	2.5%	1.11%	35.6%
27 Fallon	0	7.63%	1.24%	42.58%
28 Fergus	7.88%	4.84%	2.08%	53.25%
29 Garfield	4.04%	3.13%	5.29%	26.19%

1	Glacier	11.2%	4.87%	3.01%	46.11%
2	Golden Valley	0	11.52%	2.77%	54.65%
3	Hill	6.7%	4.07%	1.59%	49.87%
4	Liberty	4.9%	4.56%	1.15%	35.22%
5	McCone	4.18%	3.19%	2.58%	43.21%
6	Musselshell	5.98%	4.07%	3.53%	32.17%
7	Petroleum	0	11.92%	4.59%	55.48%
8	Phillips	0.43%	6.6%	1.08%	41.29%
9	Pondera	6.96%	5.06%	1.94%	45.17%
10	Powder River	3.96%	2.97%	4.57%	22.25%
11	Prairie	0	8.88%	1.63%	36.9%
12	Richland	4.1%	3.92%	2.26%	43.77%
13	Roosevelt	9.93%	7.37%	2.74%	40.94%
14	Rosebud	3.87%	2.24%	1.05%	72.97%
15	Sheridan	0	3.39%	2.22%	47.63%
16	Stillwater	6.87%	4.86%	1.63%	41.16%
17	Sweet Grass	6.12%	6.5%	2.4%	37.22%
18	Teton	6.88%	8.19%	3.8%	29.43%
19	Toole	2.78%	4.78%	1.3%	43.56%
20	Valley	2.26%	12.61%	4.63%	41.11%
21	Wibaux	0	4.1%	0.77%	31.46%
22	Yellowstone	7.98%	4.56%	1.07%	52.77%
23	All other	3.81%	7.84%	1.81%	41.04%
24	counties				

25 (b) (i) The county treasurer shall distribute 9.8% of the Custer County share to the countywide community
 26 college district in Custer County.

27 (ii) The county treasurer shall distribute 14.5% of the Dawson County share to the countywide community
 28 college district in Dawson County.

29 (3) The remaining oil and natural gas production taxes for each county must be used for the exclusive

1 use and benefit of the county, including districts within the county established by the county.

2 (4) (a) The county treasurer shall distribute oil and natural gas production taxes to school districts in each
3 county referred to in subsection (2) as provided in subsections (4)(b) through (4)(d) and subject to the provisions
4 of 20-9-310.

5 (b) The amount distributed to each K-12 district within the county is equal to oil and natural gas
6 production taxes in the county multiplied by the ratio that oil and natural gas production taxes attributable to oil
7 and natural gas production in the K-12 school district bear to total oil and natural gas production taxes attributable
8 to total oil and natural gas production in the county and multiply that amount by the school district percentage
9 figure for the county referred to in subsection (2)(a).

10 (c) For the amount to be distributed to each elementary school district and to each high school district
11 under subsection (4)(d), the department shall first determine the amount of oil and natural gas production taxes
12 in the high school district that is attributable to oil and natural gas production in each elementary school district
13 that is located in whole or in part within the exterior boundaries of a high school district and multiply that amount
14 by the school district percentage figure for the county referred to in subsection (2)(a).

15 (d) (i) The amount distributed to each elementary school district that is located in whole or in part within
16 the exterior boundaries of a high school district is equal to the amount determined in subsection (4)(c) multiplied
17 by the ratio that the total mills of the elementary school district bear to the sum of the total mills of the elementary
18 school district and the total mills of the high school district.

19 (ii) The amount distributed to the high school district is equal to the amount determined in subsection
20 (4)(c) multiplied by the ratio that the total mills of the high school district bear to the sum of the total mills of each
21 elementary school district referred to in subsection (4)(c) and the total mills of the high school district.

22 (5) Oil and natural gas production taxes calculated for each school district under subsections (4)(b)
23 through (4)(d) must be distributed to each school district as provided in 20-9-310.

24 (6) Subject to 20-9-310 and subsection (9) of this section, the department shall remit the amounts to be
25 distributed in this section to the county treasurer by the following dates:

26 (a) On or before August 1 of each year, the department shall remit to the county treasurer oil and natural
27 gas production tax payments received for the calendar quarter ending March 31 of the current year.

28 (b) On or before November 1 of each year, the department shall remit to the county treasurer oil and
29 natural gas production tax payments received for the calendar quarter ending June 30 of the current year.

30 (c) On or before February 1 of each year, the department shall remit to the county treasurer oil and

1 natural gas production tax payments received for the calendar quarter ending September 30 of the previous year.

2 (d) On or before May 1 of each year, the department shall remit to the county treasurer oil and natural
3 gas production tax payments received for the calendar quarter ending December 31 of the previous year.

4 (7) The department shall distribute the funds received under 15-36-331(2)(b) to counties based on
5 county oil and gas production. Of the distribution to a county, one-third must be distributed to the county
6 government and two-thirds must be distributed to incorporated cities and towns within the county. If there is more
7 than one incorporated city or town within the county, the city and town allocation must be distributed to the cities
8 and towns based on their relative populations.

9 (8) The distributions to taxing units and to counties and incorporated cities and towns under this section
10 are statutorily appropriated, as provided in 17-7-502, from the state special revenue fund.

11 (9) (a) A payment required pursuant to this section to a local government in violation of [section 2] must
12 be withheld pursuant to the provisions of [section 5].

13 (b) For the purposes of this subsection (9), "local government" has the meaning provided by [section 1].
14 (Terminates June 30, 2020--sec. 38, Ch. 400, L. 2013.)

15 **15-36-332. (Effective July 1, 2020) Distribution of taxes to taxing units -- appropriation.** (1) (a) By
16 Except as provided by subsection (9), by the dates referred to in subsection (6), the department shall distribute
17 oil and natural gas production taxes allocated under 15-36-331(3) to each eligible county.

18 (b) By Except as provided by subsection (9), by the dates referred to in subsection (6), the department
19 shall distribute the amount deposited in the oil and gas natural resource distribution account under
20 15-36-331(2)(b) as provided in subsection (7) of this section.

21 (2) (a) Each county treasurer shall distribute the amount of oil and natural gas production taxes
22 designated under subsection (1)(a), including the amounts referred to in subsection (2)(b), to the countywide
23 elementary and high school retirement funds, countywide transportation funds, and eligible school districts
24 according to the following schedule:

	Elementary	High School	Countywide	School
	Retirement	Retirement	Transportation	Districts
27 Big Horn	14.81%	10.36%	2.99%	26.99%
28 Blaine	5.86%	2.31%	2.71%	24.73%
29 Carbon	3.6%	6.62%	1.31%	49.18%

1	Chouteau	8.1%	4.32%	3.11%	23.79%
2	Custer	6.9%	3.4%	1.19%	31.25%
3	Daniels	0	7.77%	3.92%	48.48%
4	Dawson	5.53%	2.5%	1.11%	35.6%
5	Fallon	0	7.63%	1.24%	42.58%
6	Fergus	7.88%	4.84%	2.08%	53.25%
7	Garfield	4.04%	3.13%	5.29%	26.19%
8	Glacier	11.2%	4.87%	3.01%	46.11%
9	Golden Valley	0	11.52%	2.77%	54.65%
10	Hill	6.7%	4.07%	1.59%	49.87%
11	Liberty	4.9%	4.56%	1.15%	35.22%
12	McCone	4.18%	3.19%	2.58%	43.21%
13	Musselshell	5.98%	4.07%	3.53%	32.17%
14	Petroleum	0	11.92%	4.59%	55.48%
15	Phillips	0.43%	6.6%	1.08%	41.29%
16	Pondera	6.96%	5.06%	1.94%	45.17%
17	Powder River	3.96%	2.97%	4.57%	22.25%
18	Prairie	0	8.88%	1.63%	36.9%
19	Richland	4.1%	3.92%	2.26%	43.77%
20	Roosevelt	9.93%	7.37%	2.74%	40.94%
21	Rosebud	3.87%	2.24%	1.05%	72.97%
22	Sheridan	0	3.39%	2.22%	47.63%
23	Stillwater	6.87%	4.86%	1.63%	41.16%
24	Sweet Grass	6.12%	6.5%	2.4%	37.22%
25	Teton	6.88%	8.19%	3.8%	29.43%
26	Toole	2.78%	4.78%	1.3%	43.56%
27	Valley	2.26%	12.61%	4.63%	41.11%
28	Wibaux	0	4.1%	0.77%	31.46%
29	Yellowstone	7.98%	4.56%	1.07%	52.77%

1	All other				
2	counties	3.81%	7.84%	1.81%	41.04%

3 (b) (i) The county treasurer shall distribute 9.8% of the Custer County share to the countywide community
 4 college district in Custer County.

5 (ii) The county treasurer shall distribute 14.5% of the Dawson County share to the countywide community
 6 college district in Dawson County.

7 (3) The remaining oil and natural gas production taxes for each county must be used for the exclusive
 8 use and benefit of the county, including districts within the county established by the county.

9 (4) (a) The county treasurer shall distribute oil and natural gas production taxes to school districts in each
 10 county referred to in subsection (2) as provided in subsections (4)(b) through (4)(d).

11 (b) The amount distributed to each K-12 district within the county is equal to oil and natural gas
 12 production taxes in the county multiplied by the ratio that oil and natural gas production taxes attributable to oil
 13 and natural gas production in the K-12 school district bear to total oil and natural gas production taxes attributable
 14 to total oil and natural gas production in the county and multiply that amount by the school district percentage
 15 figure for the county referred to in subsection (2)(a).

16 (c) For the amount to be distributed to each elementary school district and to each high school district
 17 under subsection (4)(d), the department shall first determine the amount of oil and natural gas taxes in the high
 18 school district that is attributable to oil and natural gas production in each elementary school district that is located
 19 in whole or in part within the exterior boundaries of a high school district and multiply that amount by the school
 20 district percentage figure for the county referred to in subsection (2)(a).

21 (d) (i) The amount distributed to each elementary school district that is located in whole or in part within
 22 the exterior boundaries of a high school district is equal to the amount determined in subsection (4)(c) multiplied
 23 by the ratio that the total mills of the elementary school district bear to the sum of the total mills of the elementary
 24 school district and the total mills of the high school district.

25 (ii) The amount distributed to the high school district is equal to the amount determined in subsection
 26 (4)(c) multiplied by the ratio that the total mills of the high school district bear to the sum of the total mills of each
 27 elementary school district referred to in subsection (4)(c) and the total mills of the high school district.

28 (5) (a) Oil and natural gas production taxes calculated for each school district under subsections (4)(b)
 29 through (4)(d) must be distributed to each school district in the relative proportion of the mill levy for each fund.

1 (b) If a distribution under subsection (5)(a) exceeds the total budget for a school district fund, the board
 2 of trustees of an elementary or high school district may reallocate the excess to any budgeted fund of the school
 3 district.

4 (6) ~~The~~ Except as provided by subsection (9), the department shall remit the amounts to be distributed
 5 in this section to the county treasurer by the following dates:

6 (a) On or before August 1 of each year, the department shall remit to the county treasurer oil and natural
 7 gas production tax payments received for the calendar quarter ending March 31 of the current year.

8 (b) On or before November 1 of each year, the department shall remit to the county treasurer oil and
 9 natural gas production tax payments received for the calendar quarter ending June 30 of the current year.

10 (c) On or before February 1 of each year, the department shall remit to the county treasurer oil and
 11 natural gas production tax payments received for the calendar quarter ending September 30 of the previous year.

12 (d) On or before May 1 of each year, the department shall remit to the county treasurer oil and natural
 13 gas production tax payments received for the calendar quarter ending December 31 of the previous year.

14 (7) The department shall distribute the funds received under 15-36-331(2)(b) to counties based on
 15 county oil and gas production. Of the distribution to a county, one-third must be distributed to the county
 16 government and two-thirds must be distributed to incorporated cities and towns within the county. If there is more
 17 than one incorporated city or town within the county, the city and town allocation must be distributed to the cities
 18 and towns based on their relative populations.

19 (8) The distributions to taxing units and to counties and incorporated cities and towns under this section
 20 are statutorily appropriated, as provided in 17-7-502, from the state special revenue fund.

21 (9) (a) A payment required pursuant to this section to a local government that is in violation of [section
 22 2] must be withheld pursuant to the provisions of [section 5].

23 (b) For the purposes of this subsection (9), "local government" has the meaning provided by [section 1]."
 24

25 **Section 10.** Section 20-9-310, MCA, is amended to read:

26 **"20-9-310. (Temporary) Oil and natural gas production taxes for school districts -- allocation and**
 27 **limits.** (1) Except as provided in subsection (6), the maximum amount of oil and natural gas production taxes that
 28 a school district may retain is 130% of the school district's maximum budget, determined in accordance with
 29 20-9-308.

30 (2) Upon receipt of school district budget reports required under 20-9-134, the superintendent of public

1 instruction shall provide the department of revenue with a list reporting the maximum general fund budget for
2 each school district.

3 (3) ~~The~~ Except as provided by 15-36-332(9), the department of revenue shall make the full quarterly
4 distribution of oil and natural gas production taxes as required under 15-36-332(6) until the amount distributed
5 reaches the limitation in subsection (1) of this section. The department of revenue shall deposit any amount
6 exceeding the limitation in subsection (1) in the state school oil and natural gas distribution account provided for
7 in 20-9-520.

8 (4) (a) By the last day of the month immediately following the month in which the quarterly distribution
9 of oil and natural gas production taxes in subsection (3) is made, the office of public instruction shall distribute
10 any amount of oil and natural gas production taxes exceeding the limitation in subsection (1) based on allocations
11 determined by the department of revenue pursuant to subsection (3) to school districts that are directly impacted
12 by oil and natural gas development, but that receive insufficient oil and natural gas revenue to address the oil and
13 natural gas development impacts. The office of public instruction shall adopt administrative rules to establish a
14 process, criteria, and a mechanism for distribution under this subsection (4), using the negotiated rulemaking
15 process set forth in the Montana Negotiated Rulemaking Act, Title 2, chapter 5, part 1.

16 (b) In developing administrative rules, the office of public instruction shall establish two independent
17 negotiated rulemaking committees to consider issues for the purpose of reaching a consensus to develop
18 proposed rules for the distribution of the funds under this subsection (4).

19 (c) The members of the first negotiated rulemaking committee appointed by the office of public instruction
20 must include public school officials and public school employees from school districts that are located in or are
21 immediately adjacent to a county in which oil and natural gas production taxes are generated and professional
22 organizations representing these public school officials and employees. This committee shall transmit proposed
23 rules regarding distribution of 50% of the funds available under this subsection (4) in accordance with 2-5-108.

24 (d) The members of the second negotiated rulemaking committee appointed by the office of public
25 instruction must include public school officials and public school employees from school districts around the state
26 and professional organizations representing these public school officials and employees. This committee shall
27 transmit proposed rules regarding the distribution of the remaining 50% of the funds available under this
28 subsection (4) in accordance with 2-5-108.

29 (5) (a) Subject to the limitation in subsection (1) and the conditions in subsection (5)(b), the trustees shall
30 budget and allocate the oil and natural gas production taxes anticipated by the district in any budgeted fund at

1 the discretion of the trustees. Oil and natural gas production taxes allocated to the district general fund may be
2 applied to the BASE or over-BASE portions of the general fund budget at the discretion of the trustees.

3 (b) Except as provided in subsection (5)(c), if the trustees apply an amount less than 12.5% of the total
4 oil and natural gas production taxes received by the district in the prior school fiscal year to the district's general
5 fund BASE budget for the upcoming school fiscal year, then:

6 (i) the trustees shall levy the number of mills required to raise an amount equal to the difference between
7 12.5% of the oil and natural gas production taxes received by the district in the prior school fiscal year and the
8 amount of oil and natural gas production taxes the trustees budget in the district's general fund BASE budget for
9 the upcoming school fiscal year;

10 (ii) the mills levied under subsection (5)(b)(i) are not eligible for the guaranteed tax base subsidy under
11 the provisions of 20-9-366 through 20-9-369; and

12 (iii) the general fund BASE budget levy requirement calculated in 20-9-141 must be calculated as though
13 the trustees budgeted 12.5% of the oil and natural gas production taxes received by the district in the prior year
14 and the number of mills calculated in subsection (5)(b)(i) must be added to the number of mills calculated in
15 20-9-141(2).

16 (c) The provisions of subsection (5)(b) do not apply to the following:

17 (i) a district that has a maximum general fund budget of less than \$1 million;

18 (ii) a district whose oil and natural gas revenue combined with its adopted general fund budget totals
19 105% or less of its maximum general fund budget;

20 (iii) a district that has a maximum general fund budget of \$1 million or more and has had an unusual
21 enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year
22 immediately preceding the fiscal year to which the provisions of this subsection (5) would otherwise apply; or

23 (iv) a district that has issued outstanding oil and natural gas revenue bonds. Funds received pursuant
24 to this section must first be applied by the district to payment of debt service obligations for oil and natural gas
25 revenue bonds for the next 12-month period.

26 (6) The limit on oil and natural gas production taxes that a school district may retain under subsection
27 (1) must be increased for any school district with an unusual enrollment increase approved by the superintendent
28 of public instruction as provided in 20-9-314. The increase in the limit on oil and natural gas production taxes that
29 a school district may retain under subsection (1) applies in the year immediately following the fiscal year in which
30 the office of public instruction has approved the district's unusual enrollment increase and must be calculated by

1 multiplying \$45,000 times each additional ANB approved by the superintendent of public instruction as provided
2 in 20-9-314.

3 (7) In any year in which the actual oil and natural gas production taxes received by a school district are
4 less than 50% of the total oil and natural gas production taxes received by the district in the prior year, the district
5 may transfer money from any budgeted fund to its general fund in an amount not to exceed the amount of the
6 shortfall. (Terminates June 30, 2019--sec. 7, Ch. 433, L. 2015.)

7 **20-9-310. (Effective July 1, 2019) Oil and natural gas production taxes for school districts --**
8 **allocation and limits.** (1) Except as provided in subsection (6), the maximum amount of oil and natural gas
9 production taxes that a school district may retain is 130% of the school district's maximum budget, determined
10 in accordance with 20-9-308.

11 (2) Upon receipt of school district budget reports required under 20-9-134, the superintendent of public
12 instruction shall provide the department of revenue with a list reporting the maximum general fund budget for
13 each school district.

14 (3) ~~The~~ Except as provided by 15-36-332(9), the department of revenue shall make the full quarterly
15 distribution of oil and natural gas production taxes as required under 15-36-332(6) until the amount distributed
16 reaches the limitation in subsection (1) of this section. The department of revenue shall deposit any amount
17 exceeding the limitation in subsection (1) in the state school oil and natural gas distribution account provided for
18 in 20-9-520.

19 (4) By the last day of the month immediately following the month in which the quarterly distribution of oil
20 and natural gas production taxes in subsection (3) is made, the office of public instruction shall distribute any
21 amount of oil and natural gas production taxes exceeding the limitation in subsection (1) based on allocations
22 determined by the department of revenue pursuant to subsection (3) as follows:

23 (a) 70% of the retained amount must be deposited in the guarantee account provided for in 20-9-622;

24 (b) 5% of the retained amount must be deposited in the state school oil and natural gas impact account
25 provided for in 20-9-517; and

26 (c) 25% of the retained amount must be distributed to the counties in proportion to a county's oil and
27 natural gas production taxes for the preceding 3 years compared to the total of all counties' oil and natural gas
28 production taxes for the preceding 3 years. Funds distributed must be deposited in a county's county school oil
29 and natural gas impact fund provided for in 20-9-518.

30 (5) (a) Subject to the limitation in subsection (1) and the conditions in subsection (5)(b), the trustees shall

1 budget and allocate the oil and natural gas production taxes anticipated by the district in any budgeted fund at
2 the discretion of the trustees. Oil and natural gas production taxes allocated to the district general fund may be
3 applied to the BASE or over-BASE portions of the general fund budget at the discretion of the trustees.

4 (b) Except as provided in subsection (5)(c), if the trustees apply an amount less than 12.5% of the total
5 oil and natural gas production taxes received by the district in the prior school fiscal year to the district's general
6 fund BASE budget for the upcoming school fiscal year, then:

7 (i) the trustees shall levy the number of mills required to raise an amount equal to the difference between
8 12.5% of the oil and natural gas production taxes received by the district in the prior school fiscal year and the
9 amount of oil and natural gas production taxes the trustees budget in the district's general fund BASE budget for
10 the upcoming school fiscal year;

11 (ii) the mills levied under subsection (5)(b)(i) are not eligible for the guaranteed tax base subsidy under
12 the provisions of 20-9-366 through 20-9-369; and

13 (iii) the general fund BASE budget levy requirement calculated in 20-9-141 must be calculated as though
14 the trustees budgeted 12.5% of the oil and natural gas production taxes received by the district in the prior year
15 and the number of mills calculated in subsection (5)(b)(i) must be added to the number of mills calculated in
16 20-9-141(2).

17 (c) The provisions of subsection (5)(b) do not apply to the following:

18 (i) a district that has a maximum general fund budget of less than \$1 million;

19 (ii) a district whose oil and natural gas revenue combined with its adopted general fund budget totals
20 105% or less of its maximum general fund budget;

21 (iii) a district that has a maximum general fund budget of \$1 million or more and has had an unusual
22 enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year
23 immediately preceding the fiscal year to which the provisions of this subsection (5) would otherwise apply; or

24 (iv) a district that has issued outstanding oil and natural gas revenue bonds. Funds received pursuant
25 to this section must first be applied by the district to payment of debt service obligations for oil and natural gas
26 revenue bonds for the next 12-month period.

27 (6) The limit on oil and natural gas production taxes that a school district may retain under subsection
28 (1) must be increased for any school district with an unusual enrollment increase approved by the superintendent
29 of public instruction as provided in 20-9-314. The increase in the limit on oil and natural gas production taxes that
30 a school district may retain under subsection (1) applies in the year immediately following the fiscal year in which

1 the office of public instruction has approved the district's unusual enrollment increase and must be calculated by
2 multiplying \$45,000 times each additional ANB approved by the superintendent of public instruction as provided
3 in 20-9-314.

4 (7) In any year in which the actual oil and natural gas production taxes received by a school district are
5 less than 50% of the total oil and natural gas production taxes received by the district in the prior year, the district
6 may transfer money from any budgeted fund to its general fund in an amount not to exceed the amount of the
7 shortfall."

8

9 **Section 11.** Section 90-6-209, MCA, is amended to read:

10 **"90-6-209. Limitations on grants.** (1) The board may commit itself to the expenditure of funds for more
11 than 1 year for a single project, but the board may not obligate funds not yet appropriated by the legislature. The
12 total amount of grants to state agencies, except grants made pursuant to 90-6-205(4)(b), and Indian tribes may
13 not exceed 7% of the total money allocated to the board during each fiscal year.

14 (2) A grant to an Indian tribe under 90-6-205 may not be approved by the board unless:

15 (a) the governing body of the tribe has agreed:

16 (i) to waive its immunity from suit on any issue specifically arising from the transaction of a grant obtained
17 under this part; and

18 (ii) to the adjudication of any dispute arising out of the grant transaction in the district court of the first
19 judicial district of the state of Montana; and

20 (b) approval of the transaction has been obtained from the secretary of the United States department
21 of the interior whenever approval is necessary.

22 (3) (a) The board may not award a new grant to a local government that is in violation of [section 2]
23 pursuant to the provisions of [section 5].

24 (b) For the purposes of this subsection (3), "local government" has the meaning provided by [section 1]."
25

26 **Section 12.** Section 90-6-710, MCA, is amended to read:

27 **"90-6-710. Priorities for projects -- procedure -- rulemaking.** (1) The department of commerce must
28 receive proposals for infrastructure projects from local governments on a continual basis. The department shall
29 work with a local government in preparing cost estimates for a project. In reviewing project proposals, the
30 department may consult with other state agencies with expertise pertinent to the proposal. For the projects under

1 90-6-703(1)(a), the department shall prepare and submit two lists containing the recommended projects and the
 2 recommended form and amount of financial assistance for each project to the governor, prioritized pursuant to
 3 subsection (2) and this subsection. One list must contain the ranked and recommended bridge projects, and the
 4 other list must contain the remaining ranked and recommended infrastructure projects referred to in
 5 90-6-701(3)(a). Each list must be prioritized pursuant to subsection (2) of this section, but the department may
 6 recommend up to 20% of the interest earnings anticipated to be deposited into the treasure state endowment fund
 7 established in 17-5-703 during the following biennium for bridge projects. Before making recommendations to
 8 the governor, the department may adjust the ranking of projects by giving priority to urgent and serious public
 9 health or safety problems. The governor shall review the projects recommended by the department and shall
 10 submit the lists of recommended projects and the recommended financial assistance to the legislature.

11 (2) (a) In preparing recommendations under subsection (1), preference must be given to infrastructure
 12 projects based on the following order of priority:

13 ~~(a)~~(i) projects that solve urgent and serious public health or safety problems or that enable local
 14 governments to meet state or federal health or safety standards;

15 ~~(b)~~(ii) projects that reflect greater need for financial assistance than other projects;

16 ~~(c)~~(iii) projects that incorporate appropriate, cost-effective technical design and that provide thorough,
 17 long-term solutions to community public facility needs;

18 ~~(d)~~(iv) projects that reflect substantial past efforts to ensure sound, effective, long-term planning and
 19 management of public facilities and that attempt to resolve the infrastructure problem with local resources;

20 ~~(e)~~(v) projects that enable local governments to obtain funds from sources other than the funds provided
 21 under this part;

22 ~~(f)~~(vi) projects that provide long-term, full-time job opportunities for Montanans, that provide public
 23 facilities necessary for the expansion of a business that has a high potential for financial success, or that maintain
 24 the tax base or that encourage expansion of the tax base; and

25 ~~(g)~~(vii) projects that are high local priorities and have strong community support.

26 (b) (i) The department may not recommend or prioritize projects submitted by a local government that
 27 is in violation of [section 2] pursuant to the provisions of [section 5].

28 (ii) For the purposes of this subsection (2)(b), "local government" has the meaning provided by [section
 29 1].

30 (3) After the review required by subsection (1), the projects must be approved by the legislature.

1 (4) The department shall adopt rules necessary to implement the treasure state endowment program.

2 (5) The department shall report to each regular session of the legislature the status of all projects that
3 have not been completed in order for the legislature to review each project's status and determine whether the
4 authorized grant should be withdrawn."

5
6 **NEW SECTION. Section 13. Appropriation.** There is appropriated \$50,000 for the biennium beginning
7 July 1, 2017, from the state general fund to the department of justice for compliance monitoring, investigation,
8 and enforcement of the provisions in [sections 1 through 5].

9
10 **NEW SECTION. Section 14. Codification instruction.** (1) [Sections 1 through 5] are intended to be
11 codified as an integral part of Title 2, chapter 1, and the provisions of Title 2, chapter 1, apply to [sections 1
12 through 5].

13 (2) [Section 6] is intended to be codified as an integral part of Title 7, chapter 5, part 1, and the provisions
14 of Title 7, chapter 5, part 1, apply to [section 6].

15
16 **NEW SECTION. Section 15. Effective date.** [This act] is effective July 1, 2017.

17 - END -