69th Legislature 2025 Drafter: Rachel Weiss, HB0065.001.003

1	HOUSE BILL NO. 65		
2	INTRODUCED BY L. DEMING		
3	BY REQUEST OF THE SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM		
4			
5	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE LEGISLATIVE AUDIT DIVISION TO AUDIT THE		
6	MONTANA STATE BAR ASSOCIATION COLLECTION OF THE ANNUAL ATTORNEY LICENSE TAX; AND		
7	REQUIRING THE JUDICIAL BRANCH TO COVER THE COST OF THE AUDIT; AND AMENDING SECTION		
8	5-13-102, MCA ."		
9			
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:		
11			
12	NEW SECTION. Section 1. Audit state bar of Montana of attorney license tax collection. (1)		
13	There must be a one-time performance financial audit of the state bar of Montana collection of the attorney		
14	license tax provided for in 37-61-211. The performance financial audit must be conducted by or at the direction		
15	of the legislative auditor and may include but is not limited to the collection and use of the attorney license tax		
16	and the current contract for the collection of the license tax with the state bar of Montana:		
17	(a) an audit creating a thorough understanding of each funding source and how the state bar of		
18	Montana is funded and from where, how much money is received from each funding source, and how each		
19	dollar from each source is spent over the past 10 years; and		
20	(b) an analysis of budgets, costs, and functions of the state bar of Montana over time.		
21	(2) The legislative auditor shall scope and plan the audit based on risk, including a consideration of		
22	the state bar of Montana's financial, operational, and technological risks associated with meeting its intended		
23	purpose, goals, objectives, and legal mandates. The legislative auditor shall consider all of the responsibilities,		
24	goals, and objectives of the state bar of Montana and the office of disciplinary counsel as part of the legislative		
25	auditor's scoping and selection process.		
26	(3)(2) The objectives of this audit must be formulated, defined, and conducted in accordance with		
27	industry standards established for auditing as described in 5-13-308.		
28	(4)(3) The cost of the audit in whole must be paid for by the judicial branch.		



Amendment - 2nd Reading-yellow - Requested by: Tom France - (H) Committee of the Whole - 2025

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1	(5) (4)	The audit must be completed and presented to the legislative audit committee no later than	
2	December 15, 2026. Following review by the legislative audit committee, the audit and any audit followup mus		
3	(a)	be delivered to members of the law and justice interim committee and the section D interim	
4	budget subcommittee who shall serve in the 70th legislature; and		
5	(b)	be posted on the website of the legislative audit division.	
6			
7	Section 2. Section 5-13-102, MCA, is amended to read:		
8	"5-13-102. Definitions. In this chapter:		
9	(1)	"committee" means the legislative audit committee;	
10	(2)	"state agency" means all offices, departments, boards, commissions, institutions, universities,	
11	colleges, entitie	es created by an order of or subject to supervision by the Montana supreme court, and any other	
12	person or any other administrative unit of state government that spends or encumbers public moneys by virtue		
13	of an appropriation from the legislature or that handles money on behalf of the state or that holds any trust or		
14	agency moneys from any source."		
15		- END -	

