

HOUSE BILL NO. 281

INTRODUCED BY K. WALSH, T. FALK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS TO PROVIDE STATUTORY APPROPRIATION OF REINSURANCE ASSOCIATION MEMBER ASSESSMENTS; AMENDING SECTIONS 17-7-502 AND 33-22-1321, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-316; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121; 15-1-142; 15-1-143; 15-1-218; 15-1-2302; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-128; 15-70-131; 15-70-132; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-6-214; 17-7-133; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-3-369; 20-7-1709; 20-8-107; 20-9-250; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; [22-3-1004]; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 33-22-1321; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-4-1506; 44-12-213;

Amendment - 1st Reading-white - Requested by: Ken Walsh - (H) Appropriations

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Drafter: Julie Johnson,

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terminates December 31, 2025; pursuant to sec. 10, Ch. 47, L. 2023, the inclusion of 15-1-2302 terminates June 30, 2025; pursuant to sec. 2, Ch. 374, L. 2023, the inclusion of 10-3-802 terminates June 30, 2031; pursuant to sec. 12, Ch. 558, L. 2023, the inclusion of 20-9-250 terminates December 31, 2029; pursuant to sec. 4, Ch. 621, L. 2023, the inclusion of 22-1-327 terminates July 1, 2029; pursuant to sec. 24, Ch. 722, L. 2023, the inclusion of 17-7-133 terminates June 30, 2027; pursuant to sec. 10, Ch. 758, L. 2023, the inclusion of 44-4-1506 terminates June 30, 2027; and pursuant to sec. 10, Ch. 764, L. 2023, the inclusion of 15-1-143 terminates December 31, 2025.)"

Section 2. Section 33-22-1321, MCA, is amended to read:

"33-22-1321. State and federal special revenue accounts -- reinsurance program. (1) (a) There is a reinsurance program account in the state special revenue fund established by 17-2-102. The account must be administered by the commissioner for the benefit of the program. The money in the reinsurance program account is statutorily appropriated, as provided in 17-7-502, to the commissioner for the purposes provided in subsection (1)(c) of this section.

(b) There must be deposited in the account:

(i) all assessments collected under 33-22-1313;

(ii) any interest and income earned on the account; and

(iii) any other money from any other source accepted for the benefit of the account.

(c) The account may be used only to provide funding for the administration, operation, and claims expenses incurred by the program created in 33-22-1302.

(2) There is an account in the federal special revenue fund to the credit of the board and administered by the commissioner for the benefit of the program. There must be deposited in the account:

(a) federal funding allocated as a result of a section 1332 waiver application;

(b) any federal or grant funding; and

(c) any interest and income earned on the account."

COORDINATION SECTION. Section 3. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and if [this act] contains a statutory appropriation for 33-22-1321, then the

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1 appropriations to the commissioner to be used for Montana reinsurance association member assessments in
2 House Bill No. 2 are void.

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4 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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- END -

AMENDED