

HOUSE BILL NO. 313

INTRODUCED BY P. TUSS, J. REAVIS, E. ALBUS, V. MOORE, C. COCHRAN, C. SPRUNGER, R. MINER, K.

ZOLNIKOV, J. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A GRANT PROGRAM TO FUND CAPITAL CONSTRUCTION, MAINTENANCE AND REPAIR PROJECTS, AND EQUIPMENT PURCHASES RELATED TO PUBLIC SWIMMING POOLS; PROVIDING DEFINITIONS; PROVIDING AN APPROPRIATION; ALLOWING APPROPRIATIONS TO CONTINUE INTO THE 2027 BIENNIUM; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

**NEW SECTION. Section 1. Definitions.** For the purposes of [sections 1 through 8], unless otherwise provided, the following definitions apply:

(1) "Local government" means a county, city, town, township, school district, TRIBAL GOVERNMENT, or other district or local public entity with the authority to spend or receive public funds.

(2) "Nonprofit organization" means a nonprofit corporation exempt from taxation under the provisions of section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. 501(c)(3).

(3) (a) "Public swimming pool" means an artificial pool and related appurtenances for swimming, bathing, wading, or other aquatic therapy or recreation, including but not limited to natural hot water pools, spas, splash decks, water slides, lazy rivers, and wave pools.

(b) The term does not include:

(i) swimming pools located on private property, including the private common area property of owner-occupied condominium developments, used for swimming or bathing only by the owner, members of the owner's family, or their invited guests; or

(ii) medicinal hot water baths for individual use.

**NEW SECTION. Section 2. Public swimming pool infrastructure account -- use.** ~~(1)~~ There is a

1 public swimming pool infrastructure account within the state special revenue fund provided for in 17-2-102 to  
2 provide grant funding to nonprofit organizations and local governments that operate public swimming pools and  
3 for administrative costs related to administering the grants. The department of commerce shall administer the  
4 account.

5 ~~(2) Up to 3% of the funds appropriated in [section 8] may be allocated for the department of~~  
6 ~~commerce's administrative costs.~~

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8 **NEW SECTION. Section 3. Public swimming pool infrastructure grants authorization.** (1) The  
9 department of commerce is authorized to make up to \$5 million in grants to nonprofit organizations and local  
10 governments for property acquisition, construction, space acquisition, remodeling, repairs, and the purchase of  
11 appliances and equipment related to a public swimming pool. The grants authorized in this section are subject  
12 to the conditions set forth in [section 5].

13 (2) The department of commerce shall receive proposals from nonprofit organizations and local  
14 governments for public swimming pool infrastructure projects.

15 (3) Funding for projects may be provided only as long as there are sufficient funds available from  
16 the amount that was deposited or transferred in the public swimming pool infrastructure account for grants  
17 established in [section 2]. Funding for these projects must be made available in the order that the grant  
18 recipients satisfy the conditions as described in [section 5].

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20 **NEW SECTION. Section 4. Eligibility -- submission deadline -- priority -- guidelines.** (1) A  
21 nonprofit organization or local government may apply to the department of commerce for public swimming  
22 pools infrastructure grants under [section 3].

23 (2) Nonprofit organizations and local governments shall submit grant applications to the  
24 department of commerce in order to be eligible for funding under [section 3].

25 (3) The department of commerce is authorized to adopt guidelines necessary to implement  
26 [sections 3 through 6].

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28 **NEW SECTION. Section 5. Condition of grants -- disbursement of funds.** (1) The disbursement of

grant funds for the projects chosen by the department of commerce pursuant to [section 3] is subject to the following conditions:

(a) for grants in an amount of \$25,000 or more, the grant recipient shall document the availability of matching funds or in-kind contribution of assets with an appraised value from private sources representing at least \$1 in value for each \$5 of the grant;

(b) the grant recipient shall execute a grant agreement with the department of commerce that includes a project management plan and reporting requirements to track the outcomes of allocated grants; and

(c) the grant recipient shall satisfy other specific requirements considered necessary by the department of commerce to accomplish the purpose of the project as evidenced by the application to the department of commerce.

(2) Projects must adhere to the design standards required by applicable regulations. Recipients of program funds for projects that are not subject to any design standards must comply with generally accepted industry standards.

(3) If actual project expenses are lower than the projected expense of the project, the department of commerce shall reduce the amount of grant funds to be provided to grant recipients.

**NEW SECTION. Section 6. Maximum state funding available -- for each project -- for each county.** (1) The amount of state funding allocated to entities within an individual county under [sections 3 through 5] may not exceed \$1 million. No more than two applications may be funded in any one county.

(2) The amount of a grant to a single project may not exceed \$500,000.

**NEW SECTION. Section 7. Transfer of funds.** By July 15, 2025, the state treasurer shall transfer \$5 million from the general fund to the public swimming pool infrastructure account established in [section 2].

**NEW SECTION. Section 8. Appropriation.** There is appropriated \$5 million from the public swimming pool infrastructure account established in [section 2] to the department of commerce for grants authorized in [sections 3 through 6] for the biennium beginning July 1, 2025. This appropriation is authorized to continue through the biennium beginning July 1, 2027.

- 2025

Drafter: Toni Henneman,

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