

SENATE BILL NO. 393

INTRODUCED BY G. HERTZ

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FUNDING FOR REIMBURSEMENTS FOR FELONY
CRIMINAL JURISDICTION ON THE FLATHEAD INDIAN RESERVATION; PROVIDING AN APPROPRIATION;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Allocation. Money must be allocated from the general fund to the office
of budget and program planning to provide reimbursement for expenditures resulting from the enforcement of
felony criminal jurisdiction on the Flathead Indian reservation.

NEW SECTION. Section 2. Distribution of funds. The office of budget and program planning shall
distribute the amount allocated under [section 1] to Lake County and the Confederated Salish and Kootenai
tribes upon satisfaction of the following conditions:

(1) \$250,000 must be distributed on or before July 31, 2025, to Lake County and \$250,000 must
be distributed to the Confederated Salish and Kootenai tribes if the board of county commissioners of Lake
County has rescinded and vacated "Resolution No. 22-42(a) to Withdraw from Public Law 280" adopted
January 3, 2023. The right of the board of county commissioners of Lake County to withdraw consent to
enforce criminal jurisdiction pursuant to 2-1-306(3) may not be further exercised by the board until the later of:

(a) June 1, 2027; or

(b) June 30, 2028, if the termination date provided in section 5, Chapter 556, Laws of 2021, is
extended beyond June 30, 2027.

(2) The balance of the appropriation for the fiscal year beginning July 1, 2025, must be distributed
in equal amounts to Lake County and to the Confederated Salish and Kootenai tribes within 30 days of the
entrance into an agreement between the state of Montana, Lake County, and the Confederated Salish and
Kootenai tribes addressing the sharing of costs between Lake County and the Confederated Salish and

1 Kootenai tribes associated with the implementation of Public Law 280 within Lake County, including provisions
2 relating to the expenditure of the amount allocated under [section 1] for the fiscal year beginning July 1, 2025,
3 and for the fiscal year beginning July 1, 2026.

4 (3) The appropriation for the fiscal year beginning July 1, 2026, must be distributed in equal
5 amounts to Lake County and to the Confederated Salish and Kootenai tribes by July 31, 2026, subject to
6 confirmation by the office of budget and program planning of substantial compliance by all parties with the
7 terms of the agreement between the state of Montana, Lake County, and the Confederated Salish and Kootenai
8 tribes.

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10 ~~NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2025.~~

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12 NEW SECTION. Section 3. Appropriation. There is appropriated \$6 million from the general fund to
13 the office of budget and program planning for the biennium beginning July 1, 2025, for the purpose provided for
14 in [section 1].

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

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