

HOUSE BILL NO. 65

INTRODUCED BY L. DEMING

BY REQUEST OF THE SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE LEGISLATIVE AUDIT DIVISION TO AUDIT THE
~~MONTANA STATE BAR ASSOCIATION COLLECTION OF THE ANNUAL ATTORNEY LICENSE TAX; AND~~
REQUIRING THE JUDICIAL BRANCH TO COVER THE COST OF THE AUDIT;~~AND AMENDING SECTION~~
~~5-13-102, MCA.~~"

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

NEW SECTION. Section 1. Audit ~~state bar of Montana~~ of attorney license tax collection. (1)

There must be a one-time ~~performance financial~~ audit of the ~~state bar of Montana collection of the attorney~~
~~license tax provided for in 37-61-211~~. The ~~performance financial~~ audit must be conducted by or at the direction
of the legislative auditor and ~~may include but is not limited to~~ the collection and use of the attorney license tax
and the current contract for the collection of the license tax with the state bar of Montana:

(a) ~~an audit creating a thorough understanding of each funding source and how the state bar of~~
~~Montana is funded and from where, how much money is received from each funding source, and how each~~
~~dollar from each source is spent over the past 10 years; and~~

(b) ~~an analysis of budgets, costs, and functions of the state bar of Montana over time.~~

(2) ~~The legislative auditor shall scope and plan the audit based on risk, including a consideration of~~
~~the state bar of Montana's financial, operational, and technological risks associated with meeting its intended~~
~~purpose, goals, objectives, and legal mandates. The legislative auditor shall consider all of the responsibilities,~~
~~goals, and objectives of the state bar of Montana and the office of disciplinary counsel as part of the legislative~~
~~auditor's scoping and selection process.~~

(3)(2) The objectives of this audit must be formulated, defined, and conducted in accordance with
industry standards established for auditing as described in 5-13-308.

(4)(3) The cost of the audit in whole must be paid for by the judicial branch.

- 2025

HB0065.001.003

6

15 - END -