HOUSE BILL NO. 334

INTRODUCED BY B. BARKER, E. TILLEMAN, T. RUNNINGWOLF, S. GIST

A BILL FOR AN ACT ENTITLED: “AN ACT INCREASING THE AMOUNT STATUTORILY APPROPRIATED FOR EMERGENCIES; EXPANDING USES OF THE APPROPRIATION FOR USES BY DISASTER AND EMERGENCY SERVICES; AMENDING SECTION 10-3-312, MCA; AND PROVIDING AN EFFECTIVE DATE.”

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

Section 1. Section 10-3-312, MCA, is amended to read:

"**10-3-312. (Temporary) Maximum expenditure by governor -- appropriation.** (1) Whenever a disaster or an emergency, including an energy emergency as defined in 90-4-302 or an invasive species emergency declared under 80-7-1013, is declared by the governor, or a member of the army national guard or air national guard is entitled to benefits under 10-1-506, there is statutorily appropriated to the office of the governor, as provided in 17-7-502, and, subject to subsection (2), the governor is authorized to expend from the general fund an amount not to exceed $20 million in any biennium, minus any amount appropriated pursuant to 10-3-310 in the same biennium. The statutory appropriation in this subsection may be used by any state agency designated by the governor.

(2) In the event of the recovery of money expended under this section, the spending authority must be reinstated to a level reflecting the recovery.

(3) If a disaster is declared by the president of the United States, there is statutorily appropriated to the office of the governor, as provided in 17-7-502, and the governor is authorized to expend from the general fund an amount not to exceed $500,000 during the biennium to meet the state's share of the individuals and households grant programs as provided in 42 U.S.C. 5174. The statutory appropriation in this subsection may be used by any state agency designated by the governor.

(4) At the end of each biennium, an amount equal to the unexpended and unencumbered balance of the $20 million statutory appropriation in subsection (1), minus any amount appropriated pursuant to 10-3-310 in the same biennium, must be transferred by the state treasurer from the state general fund to the fire

suppression account provided for in 76-13-150. (Terminates June 30, 2025--sec. 24, Ch. 722, L. 2023.)

10-3-312. (Effective July 1, 2025) Maximum expenditure by governor -- appropriation. (1) Whenever a disaster or an emergency, including an energy emergency as defined in 90-4-302 or an invasive species emergency declared under 80-7-1013, is declared by the governor, or a member of the army national guard or air national guard is entitled to benefits under 10-1-506, there is statutorily appropriated to the office of the governor, as provided in 17-7-502, and, subject to subsection ~~(2)~~ (3), the governor is authorized to expend from the general fund an amount not to exceed ~~$16 million~~ $22 million in any biennium, minus any amount appropriated pursuant to 10-3-310 in the same biennium. The statutory appropriation in this subsection may be used by any state agency designated by the governor.

(2) The department of military affairs may use up to $3 million in each year of the biennium for the disaster and emergency services division without a governor's declaration of disaster or emergency for personal services, including:

(a) responding to and recovering from emergencies or disasters;

(b) disaster planning, training, and validation of readiness; and

(c) the financial administration and management of disaster and emergency programs.

~~(2)~~(3) In the event of the recovery of money expended under this section, the spending authority must be reinstated to a level reflecting the recovery.

~~(3)~~(4) If a disaster is declared by the president of the United States, there is statutorily appropriated to the office of the governor, as provided in 17-7-502, and the governor is authorized to expend from the general fund an amount not to exceed $500,000 during the biennium to meet the state's share of the individuals and households grant programs as provided in 42 U.S.C. 5174. The statutory appropriation in this subsection may be used by any state agency designated by the governor.

~~(4)~~(5) At the end of each biennium, an amount equal to the unexpended and unencumbered balance of the ~~$16 million~~ $22 million statutory appropriation in subsection (1), minus any amount appropriated pursuant to 10-3-310 in the same biennium, must be transferred by the state treasurer from the state general fund to the fire suppression account provided for in 76-13-150."

NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2025.

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