

1 HOUSE BILL NO. 192
2 INTRODUCED BY B. MERCER, S. FITZPATRICK, G. HERTZ, M. REGIER, D. BARTEL, S. VINTON, J.
3 ELLSWORTH, R. KNUDSEN, K. BOGNER
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE DISTRIBUTION OF SURPLUS REVENUE;
6 ~~USING-DISTRIBUTING SURPLUS REVENUE TO MONTANANS BASED ON CERTAIN INDIVIDUAL INCOME~~
7 ~~LIABILITY FOR INDIVIDUAL INCOME TAX SURPLUS~~ REBATES, PROPERTY TAX REFUNDS, AND TO
8 ~~OFFSET GENERAL OBLIGATION BOND PAYMENTS; PROVIDING RESIDENT TAXPAYERS INDIVIDUAL~~
9 ~~INCOME TAX SURPLUS~~ REBATES FOR INDIVIDUAL INCOME TAXES PAID; PROVIDING FOR PROPERTY
10 TAX REFUNDS FOR PRIMARY RESIDENCES; PROVIDING AN APPROPRIATION; PROVIDING A
11 STATUTORY APPROPRIATION; PROVIDING DEFINITIONS; AMENDING SECTIONS 15-30-2110, ~~15-30-~~
12 ~~2420,~~ AND 17-7-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION
13 DATE."
14

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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17 NEW SECTION. Section 1. Montana tax-SURPLUS rebate account. (1) There is a Montana tax
18 SURPLUS rebate account in the state special revenue fund PROVIDED FOR IN 17-2-102.

19 (2) The state treasurer shall transfer ~~\$900~~ \$480 million FROM THE GENERAL FUND to the account by
20 July 1, 2023.

21 (3) Money in the account must be used ~~as follows:~~

22 (a) ~~\$650 million, less administrative costs,~~ for individual income tax rebates provided for in [section
23 2] AND ASSOCIATED ADMINISTRATIVE COSTS ; and

24 (b) ~~\$250 million, less administrative costs,~~ for residential property tax refunds provided for in
25 [section ~~s~~ 3 through 5].

26 (4) The ~~amounts~~ AMOUNT provided for in subsection (3) ~~are~~ IS statutorily appropriated, as provided
27 in 17-7-502, to the department of revenue.

28 (5) The state treasurer shall transfer to the general fund money remaining in the account after

1 fund to the board of examiners for the fiscal year ending June 30, 2023, to pay down indebtedness incurred
2 pursuant to Title 17, chapter 5, part 8.

3
4 NEW SECTION. Section 5. Codification instruction. (1) [Section 1] is intended to be codified as an
5 integral part of Title 15, and the provisions of Title 15 apply to [section 1].

6 (2) [Section 2] is intended to be codified as an integral part of Title 15, chapter 30, and the
7 provisions of Title 15, chapter 30, apply to [section 2].

8 (3) ~~[Sections 3 through 5] are intended to be codified as an integral part of Title 15, chapter 6, and~~
9 ~~the provisions of Title 15, chapter 6, apply to [sections 3 through 5].~~

10
11 NEW SECTION. Section 6. Severability. (1) If a part of [this act] is invalid, all valid parts that are
12 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
13 the part remains in effect in all valid applications that are severable from the invalid applications.

14 (2) ~~If [this act] is invalid under the single-subject provision of Article V, section 11(3), of the~~
15 ~~Montana constitution, [section 9 of this act] is invalid if the remaining parts are severable and remain in effect.~~

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17 ~~COORDINATION SECTION. SECTION 7. COORDINATION INSTRUCTION. (1) IF [THIS ACT] IS PASSED AND~~
18 ~~APPROVED AND DOES NOT CONTAIN A \$480 MILLION TRANSFER FROM THE GENERAL FUND, AND IF ANY OF THE FIVE BILLS~~
19 ~~IDENTIFIED IN SUBSECTION (2) ARE NOT PASSED AND APPROVED, THEN THE AMOUNT OF THE TRANSFER PROVIDED FROM~~
20 ~~THE GENERAL FUND IN [SECTION 1] IS \$240 MILLION.~~

- 21 ~~(2) THE FIVE BILLS ARE:~~
22 ~~(A) HOUSE BILL NO. 212;~~
23 ~~(B) HOUSE BILL NO. 221;~~
24 ~~(C) HOUSE BILL NO. 222;~~
25 ~~(D) HOUSE BILL NO. 251; AND~~
26 ~~(E) HOUSE BILL NO. 267.~~

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28 NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval.