

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

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE DISTRIBUTION OF SURPLUS REVENUE;
6 USING SURPLUS REVENUE FOR INDIVIDUAL INCOME TAX REBATES, PROPERTY TAX REFUNDS, AND
7 TO OFFSET GENERAL OBLIGATION BOND PAYMENTS; PROVIDING RESIDENT TAXPAYERS
8 INDIVIDUAL INCOME TAX REBATES FOR TAXES PAID; PROVIDING FOR PROPERTY TAX REFUNDS
9 FOR PRIMARY RESIDENCES; PROVIDING AN APPROPRIATION; PROVIDING A STATUTORY
10 APPROPRIATION; PROVIDING DEFINITIONS; AMENDING SECTIONS 15-30-2110, 15-30-2120, AND 17-7-
11 502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."
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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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15 NEW SECTION. Section 1. Montana tax rebate account. (1) There is a Montana tax rebate account
16 in the state special revenue fund.

17 (2) The state treasurer shall transfer \$900 million to the account by July 1, 2023.

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

19 (a) \$650 million, less administrative costs, for individual income tax rebates provided for in [section
20 2]; and

21 (b) \$250 million, less administrative costs, for residential property tax refunds provided for in
22 [sections 3 through 5].

23 (4) The amounts provided for in subsection (3) are statutorily appropriated, as provided in 17-7-
24 502, to the department of revenue.

25 (5) The state treasurer shall transfer to the general fund money remaining in the account after
26 June 30, 2025.
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28 NEW SECTION. Section 2. Individual income tax rebate. (1) By December 31, 2023, the

1 an integral part of Title 15, and the provisions of Title 15 apply to [section 1].

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

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

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

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

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13 **COORDINATION SECTION. Section 12. Coordination instruction.** (1) If [this act] is passed and
14 approved and does not contain a \$480 million transfer from the general fund, and if any of the five bills
15 identified in subsection (2) are not passed and approved, then the amount of the transfer provided from the
16 general fund in [section 1] is \$240 million.

- 17 (2) The five bills are:
- 18 (a) House Bill No. 212;
- 19 (b) House Bill No. 221;
- 20 (c) House Bill No. 222;
- 21 (d) House Bill No. 251; and
- 22 (e) House Bill No. 267.

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24 **NEW SECTION. Section 13. Effective date.** [This act] is effective on passage and approval.

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26 **NEW SECTION. Section 14. Termination.** [This act] terminates December 31, 2025.

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