

HOUSE BILL NO. 146

INTRODUCED BY B. MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE OFFICE OF BUDGET AND PROGRAM PLANNING TO REPORT ON ACTUAL COSTS OF CERTAIN LEGISLATION WITH PROJECTED FISCAL IMPACT OF OVER \$1 MILLION TO THE GENERAL FUND IN A FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

NEW SECTION. Section 1. Report of actual costs for legislation with projected fiscal impact.

(1) ~~For~~ EXCEPT FOR THE GENERAL APPROPRIATIONS ACT AND ANY BILL EXEMPTED BY THE LEGISLATURE, FOR each bill WITH AN ESTIMATED EXPENDITURE AMOUNT OF OVER \$1 MILLION FROM THE GENERAL FUND IN ANY 1 OF THE 4 FISCAL YEARS IDENTIFIED IN THE BILL'S FISCAL NOTE, OR AS REQUIRED IN THE BILL, that is passed and approved for which a fiscal note is prepared and presented to the legislature, the office of budget and program planning shall prepare and present an annual report to the legislative finance committee by October 1 of each year. The report must include the following information:

(a) the name of the bill;

(b) the actual ~~costs~~ EXPENDITURES incurred based on the bill AS ENACTED for ~~an~~ THE PAST entire fiscal year AND A DESCRIPTION OF HOW THE FUNDS WERE EXPENDED; and

(c) A COMPARISON TO the projected costs of the bill as projected in the fiscal note for that same fiscal year.

(2) The report to the legislature must include ~~all bills~~ THAT QUALIFY UNDER SUBSECTION (1) for which a fiscal note was prepared which have been in effect for at least 1 fiscal year. The bill must be included in the report for each year a cost was projected in a corresponding fiscal note.

(3) The report must be provided in an electronic format.

(4) The report must also be submitted to the legislature as provided in 5-11-210.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 5, chapter 4, part 2, and the provisions of Title 5, chapter 4, part 2, apply to [section 1].

COORDINATION SECTION. **Section 3. Coordination instruction.** If both [this act] and [LC 301] are passed and approved, reference to the report provided for in [section 1] must be included in [section 1] of [LC 301].

NEW SECTION. Section 4. **Effective date.** [This act] is effective July 1, 2021.

NEW SECTION. SECTION 5. APPLICABILITY. [THIS ACT] APPLIES TO ELIGIBLE BILLS BEGINNING IN FISCAL YEAR 2022, AND THE FIRST REPORT IS DUE OCTOBER 1, 2022.

NEW SECTION. SECTION 6. TERMINATION. [THIS ACT] TERMINATES DECEMBER 31, 2025.

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