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1	SENATE BILL NO. 382
2	INTRODUCED BY C. KAUFMANN
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LEGISLATURE'S REVENUE ESTIMATING LAWS;
5	PROVIDING THAT THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE'S REVENUE
6	ESTIMATING RESOLUTION DOES NOT CONSTITUTE THE LEGISLATURE'S OFFICIAL REVENUE
7	ESTIMATE UNTIL FINAL ADOPTION OF THE ESTIMATE BY BOTH HOUSES; CREATING A REVENUE
8	ESTIMATE PROCESS IF THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE DOES NOT
9	INTRODUCE A REVENUE ESTIMATING RESOLUTION; PROVIDING THAT A LEGISLATURE MAY ADOPT
10	A SUBSEQUENT REVENUE ESTIMATING RESOLUTION; AND AMENDING SECTION 5-5-227, MCA."
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12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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14	Section 1. Section 5-5-227, MCA, is amended to read:
15	"5-5-227. Revenue and transportation interim committee powers and duties revenue
16	estimating joint resolution and use of estimates. (1) The revenue and transportation interim committee has
17	administrative rule review, draft legislation review, program evaluation, and monitoring functions for the
18	department of revenue and the department of transportation and the entities attached to the departments for
19	administrative purposes.
20	(2) (a) The committee must have prepared by December 1 for introduction during each regular session
21	of the legislature in which a revenue bill is under consideration a joint resolution that provides an estimate of the
22	amount of revenue projected to be available for legislative appropriation.
23	(b) The committee may prepare for introduction during a special session of the legislature in which a
24	revenue bill or an appropriation bill is under consideration a joint resolution that provides an estimate of the
25	amount of projected revenue. The revenue estimate is considered a subject specified in the call of a special
26	session under 5-3-101.
27	(3) (a) The Except as provided in subsection (3)(b), the committee's estimate, in the form of a joint
28	resolution as introduced in the legislature, constitutes the legislature's is the current revenue estimate until
29	amended or until final adoption of the estimate by both houses. It is intended that the legislature's estimates and
30	the assumptions underlying the estimates will
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1	(b) If the committee does not prepare an estimate pursuant to subsection (2)(a), a senate joint resolution
2	that provides an estimate of the amount of revenue projected to be available for legislative appropriation must
3	be introduced by the chair of the senate taxation committee. The senate shall transmit the senate joint resolution
4	on the revenue estimate to the house not later than the 15th legislative day.
5	(4) (a) The estimate provided for in subsection (3)(a) or (3)(b) as introduced and the assumptions
6	underlying the estimate must be used by all agencies with responsibilities for estimating revenue or costs,
7	including the preparation of fiscal notes, until final adoption by both houses. Upon final adoption by both houses,
8	the adopted revenue estimate must be used by all agencies with responsibilities for estimating revenue or costs,
9	including the preparation of fiscal notes, and it must be used to compare the adopted revenue estimate and
10	assumptions to current revenue estimates under 17-7-140.
11	(b) The revenue estimate and the assumptions underlying the estimate do not constitute the legislature's
12	revenue estimate for the purpose of determining whether there is a balanced budget as required by Article VIII,
13	section 9, of the Montana constitution until final adoption of the estimate by both houses.
14	(c) The house or the senate, or both, may introduce subsequent joint resolutions on the revenue
15	estimate. The revenue estimate that has been most recently adopted by both houses is the legislature's revenue
16	estimate and must be used for the purposes described in subsections (4)(a) and (4)(b).
17	(4)(5) The legislative services division shall provide staff assistance to the committee. The committee
18	may request the assistance of the staffs of the office of the legislative fiscal analyst, the legislative auditor, the
19	department of revenue, and any other agency that has information regarding any of the tax or revenue bases of
20	the state."
21	- END -



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