

68TH LEGISLATIVE SESSION

# Senate Sine Die Packet



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# Tax Relief for Montanans

*Republicans in the 68th Legislature passed over \$1 billion in tax relief both by lowering ongoing taxes and providing one-time-only rebates. These bills created the largest tax cut in Montana history. Individual income earners, Montana resident property owners, and Montana businesses all benefit from this package of tax relief measures.*

## **HB 192      Rep. Bill Mercer**

Provides one-time-only income tax rebates to Montanans from the state's budget surplus. Individuals will receive up to a \$1,250 tax rebate, joint filers will receive up to \$2,500. The exact rebate received by an individual depends on the amount of taxes they paid in the first place, and no one will receive more in rebates than they paid in income taxes. *Total financial relief: about \$480 million (OTO).*

## **HB 222      Rep. Tom Welch**

Provides tax rebates to property taxes paid on principal residences from the state's budget surplus. Each household that is a primary residence will receive two \$500 rebates over the next two years, for a total of \$1,000 per household in one-time-only tax rebates. HB 222 does not provide any rebates to second homes, commercial properties like short-term or long-term rentals, or out-of-state property owners. *Total financial relief: about \$284 million (OTO).*

## **HB 251      Rep. Llew Jones**

The "Debt Free in 2023" bill. Pays off the state's general obligation debt using one-time-only money from the budget surplus. Saves Montanans from paying interest on state debt for years into the future. *Total financial relief: About \$25 million annually (ongoing) in interest payments no longer needing to be paid.*

## **SB 121      Sen. Becky Beard**

Reduces Montana's top income tax rate from 6.5% to 5.9% and increases the earned-income tax credit from 3% to 10%, benefiting lower-wage earners. Provides ongoing tax relief to most Montanans. *Total financial relief: about \$170 million annually (ongoing).*

## **HB 212      Rep. Josh Kassmier**

Raises the exemption from Montana's businesses equipment tax from the first \$300,000 of equipment to the first \$1 million of equipment. Removes essentially all Montana small businesses, including farmers and ranchers, from paying the business equipment tax. *Total financial relief: about \$9 million annually (ongoing).*

**HB 221      Rep. Tom Welch**

Revises income tax rates for net long-term capital gains, replacing the current tax deduction for capital gains with a reduced tax rate. *Total financial relief: \$16+ million annually (ongoing).*

**SB 124      Sen. Greg Hertz**

Revises corporate income taxes to a “single sales factor.” Rather than corporations paying taxes based on sales, physical presence in the state, and employees in the state, companies would only pay taxes based on sales they make in Montana. This has the effect of making out-of-state corporations like Amazon pay a little more in taxes while reducing taxes for Montana-based businesses like Applied Materials in Kalispell. SB 124 will encourage businesses to expand or relocate to Montana, creating more good-paying jobs. *Total financial relief: Increases tax revenue from out-of-state corporations by \$5 million in 2025 and over \$15 million per year after that, helping pay for tax relief to Montanans and Montana-based businesses.*

**HB 816      Rep. Josh Kassmier**

Builds on and adds to the tax rebates provided earlier in the legislative session. Adds \$100 million more to the property tax rebates created in HB 222 and transfers about \$24 million to finish paying out the income tax rebates created in HB 192. *Total additional financial relief: \$100 million more in property tax rebates to Montana residents on their primary residences.*

# Infrastructure and Other Large Spending Priorities

*The Legislature invested hundreds of millions in road and bridge and water infrastructure, public buildings, fixing pension systems, preparing for wildfires and natural disasters, and more. These investments will have major positive impacts in all corners of the state for many years into the future.*

## **HB 267      Rep. Courtenay Sprunger**

Creates the “Securing Access to Federal Expenditures to Repair (SAFER) Montana Roads and Bridges Account. The SAFER Roads and Bridges bill puts \$100 million of Montana’s budget surplus into an account to leverage around \$600-700 million in federal funds to repair Montana road and bridge infrastructure. Saves Montanans hundreds of millions in taxes for years to come on infrastructure repairs. Allows the state to not raise gas taxes for the foreseeable future.

## **HB 6          Rep. Mike Hopkins**

Appropriates millions to conservation districts, wastewater treatment systems, and irrigation projects throughout the state, especially Eastern Montana. Includes the Milk River Repair and Maintenance Fund.

## **HB 424      Rep. Llew Jones**

Allocates money to the Budget Stabilization Reserve Fund, increases the cap on the Fire Suppression Fund, and authorizes other transfers and savings. Also appropriates \$4 million per year to the Montana Local Disaster Resiliency Fund to match with federal funds to do state and local mitigation projects to better prepare the state for disasters, including disasters involving hazardous materials. All together, HB 424 provides money for the state to handle a wide variety of problems, from expensive fire seasons to preparing for other natural disasters to weathering an economic downturn.

## **HB 883      Rep. Llew Jones**

Authorizes transfers of money to the fire fund so the state has the resources necessary to combat wildfires, also authorizes money in the fire fund to be for proactive wildfire mitigation projects such as logging and thinning.

**HB 817      Rep. John Fitzpatrick**

Appropriates significant funds to remodel and modernize the Montana State Prison in Deer Lodge and provide for infrastructure needs near Montana's prison facility. The bill will increase the housing supply near the prison for Corrections' employees to help the State hire and retain qualified applicants, lowering turnover and stabilizing staffing at the facility. This critical legislation addresses years of deferred maintenance and repair that was neglected by prior administration.

**HB 569      Rep. Terry Moore**

Appropriates \$96 million to Montana's law enforcement pension funds and shores up those pension systems by putting them on a 25 year amortization schedule and adjusting the years of service and retirement age requirements. Designed as a long-term solvency fix for this group of pensions.

**SB 536      Sen. Greg Hertz**

Provides funding for improvements to county roads, which are sometimes overlooked for repair by the state. The bill creates two pots of money -- \$20 mil directly to cities under 10,000 people and \$80mil through Dept. of Transportation that can be matched with federal dollars.

**HB 332      Rep. David Bedey**

Directs \$60 million in one-time funds toward the creation of a statewide health insurance trust for local schools. This common sense bill creates one health insurance pool for school districts to combat the high cost of health insurance for teachers and staff and frees up money in their budgets for other priorities.

**HB 355      Rep. John Fitzpatrick**

Allocates significant funds for infrastructure grants to maintain drinking water systems, sewer systems, roads and other facilities owned by counties, cities, towns and school districts. These grants will assist with the building of housing and stabilizing infrastructure needs for communities.

**HB 479      Rep. Joe Read**

Appropriates \$2.5 million each year to the Department of Justice for the biennium and creates a task force to solve the unique Public Law 280 law enforcement jurisdictional and funding issues in Lake County among the county, CSKT tribes, and state and federal governments.

**SB 294      Sen. Barry Usher**

Establishes the End of Watch Trust to cover medical and other expenses for catastrophically injured or killed law enforcement officers and their immediate families for 5 years after the injury or death.

**HB 856      Rep. Matt Regier**

The Montana State Capitol has not had a significant repair or remodel conducted since 2000; this bill authorizes money to engage in needed capitol repairs and improvements. The building needs fixes to prevent water damage and stabilize the Capitol dome, as well as create more space for public hearings. The bill will also give the Legislature control of more space for staff and committees.

# Housing Reform and Relief

*This legislative session brought the most significant pro-housing reforms ever passed by a Montana Legislature. Montana has earned national recognition for more thoroughly addressing the state's housing crisis than almost any other state in the union. From zoning reform to infrastructure investments to regulatory relief, the Legislature passed serious reforms to increase the supply of housing, protect and expand private property rights, and allow more development in existing city centers to lessen the need to build into Montana's cherished rural and agricultural areas. These reforms are meant to, over time, make housing more affordable and attainable for Montana families while preserving the character of the Last Best Place.*

## **Zoning Reform**

### **SB 382      Sen. Forrest Mandeville**

The Montana Land Use Planning Act, is a major rewrite of Montana's land use planning laws. It would require local governments to establish planning commissions, provide continuous public participation, and adopt land use plans and land use maps. SB 382 requires local governments to analyze expected population trends, take action to meet current and future housing needs, and plan for environmental hazards and other contingencies. A comprehensive reform of Montana's laws governing zoning and land use that includes recommendations from the Governor's Housing Task Force.

### **SB 323      Sen. Jeremy Trebas**

Reforms zoning codes in Montana cities to improve property rights and increase housing options. In cities with at least 5,000 residents, SB 323 would not allow zoning regulations on duplexes to be more restrictive than the requirements for single-family residences. Legalizes the "missing middle" of housing—homes that are in the size and price range between apartments and large single-family residences—within cities. Allows more affordable options for starter homes for young families and retirees looking to downsize. Helps combat urban sprawl into cherished open spaces by allowing a moderate increase in housing density within the boundaries of city limits. SB 323 follows recommendations of the Governor's Housing Task Force.



**SB 245      Sen. Daniel Zolnikov**

Reforms Montana's zoning laws to encourage multifamily housing and mixed-use developments in urban areas with existing water and sewer systems. SB 245 would apply only to Montana's larger towns and cities with populations over 7,000. Focuses on streamlining regulations on multifamily housing and developments that include both commercial and residential uses by opening up commercially-zoned areas to housing development. Contains provisions to prevent "poison pills" creatively getting around the intent of SB 245. The bill follows recommendations of the Gov.'s Housing Task Force.

**SB 528      Sen. Greg Hertz**

Allows at least one accessory dwelling unit (ADU) to be built, by right, on a lot that has a single-family home on it. Improves the property rights of people to build additional housing on their lots without special permission from the government. Another pro-freedom way to address Montana's housing crisis and increase the supply of available housing, especially properties available as long-term rental units.

**SB 158      Sen. Jason Ellsworth**

Would allow families to transfer ownership of properties located within subdivisions to other family members as long as such transfers are allowed by the covenants. The bill can help parents keep their kids in the state and help adult children care for elderly parents.

**HB 246      Rep. Scot Kerns**

Allows municipalities to create zoning districts for tiny houses. This act allows counties and cities to establish zoning districts that permit the construction of small residential units known as "tiny dwelling units."

**SB 195      Sen. Jeremy Trebas**

Allows churches to temporarily house people on their property without a fire suppression system in order to provide emergency housing for the unhoused. Without this reform, churches cannot offer warm beds to those who temporarily need them.

## **Housing Money and Infrastructure**

### **HB 819      Rep. Green**

Sets up a 'community reinvestment plan' to make sure Montanans working in the state can find affordable housing. The bill sets up 16 regional districts managed by approved community reinvestment groups that will use state funds to make loans and issue other relief to ensure Montana's workforce has access to housing that utilizes no more than 30% of their income. The bill contained additional fixes to assist in the building of critical infrastructure.

### **SB 237      Sen. Shelley Vance**

Improves water quality laws by stating that DEQ shall approve new connections to wastewater systems as long as the new connections don't exceed the system's rated capacities. Any development that would exceed the rated capacity of the wastewater system would need to be run through DEQ prior to approval. This efficiency will allow development of housing to occur more quickly.

## **Housing red tape relief and regulatory reform**

### **SB 130      Sen. Forrest Mandeville**

Allows local governments to consolidate land use boards to be more efficient and reduce duplicate meetings and regulations governing housing. This bill removes burdensome red tape to allow housing to be built more efficiently.

### **SB 131      Sen. Forrest Mandeville**

Puts a 20-working-day timeline on subdivision exemptions – creating a deadline for local governments to approve or deny exempt subdivisions. This bill prevents cities and towns from dragging their feet on approval, so builders can bring more housing on-line.

### **SB 152 and SB 170      Sen. Forrest Mandeville**

SB 170 creates an administrative review process for minor subdivisions, while SB 152 redefines what constitutes a minor subdivision. These bills create efficiencies and speed up the process of approving small subdivisions, which often contain single-family housing and create affordable rentals.

### **HB 211      Rep. Larry Brewster**

Revision of the local subdivision review process. It includes changes to the information that a governing body may consider when deciding if subsequent hearings are necessary for a subdivision application.

**SB 143      Sen. John Esp**

Providing for a referendum to terminate a citizen initiated zoning district, and removes certain protest provisions that have been invalidated by district court. Whenever the public interest or convenience may require on petition of 60% of the affected real property owners in the proposed district, the board of county commissioners may create a planning and zoning district and may appoint a planning and zoning commission consisting of up to seven members.

**SB 406      Sen. Trebas**

Revise laws related to local building codes, preventing local governments from adopting building codes that exceed the standards set by the state building codes.

**SB 285      Sen. Carl Glimm**

Limits the regulation of septic tanks to those that are higher in elevation or less than 500 feet away from surface waters. Meant to allow more housing than current septic tank regulations allow.

**HB 435      Rep. John Fitzpatrick**

Clarifies that when a development with an exempt well is completed, the developer gets use of the full amount of water allocated in the water right. This ensures that an individual who purchases a lot in a development with an exempt well will have a water right to that well. If a water supply system is built using an exempt water right, then it can be considered as evidence of beneficial use for the purpose of obtaining a certificate of water right.

**HB 364      Rep. Casey Knudsen**

Revises the sanitation in subdivisions act application review process, allows an independent reviewer to conduct subdivision reviews under certain circumstances, and requires refunds of subdivision fees for deadline extensions requested by the Department of Environmental Quality.

# Election Integrity

*Individual lawmakers and the Legislature's Select Committee on Election Integrity passed numerous reforms to the state's election processes to increase the security of our elections. From increasing auditing and preserving records, to getting outside money out of elections, Montana's elections will be more secure with the implementation of these new laws.*

## **Individual Bills**

### **SB 117      Sen. Shelley Vance**

Prohibits state and local governments from using private money to conduct elections, instead requiring that all election administration costs be paid for with public funds. SB 117 establishes a felony penalty for violations of its provisions keeping Election Integrity/Security the official state administration of elections free of outside influence.

### **SB 197      Sen. Mike Cuffe**

Doubles the number of precincts and elections that are subject to post-election audits. This bill increases confidence in the election process by ensuring that the vote tallies in Montana's counties are accurate and defensible.

### **SB 254      Sen. Ken Bogner**

Counties that don't use vote-counting machines are currently exempt from participating in post-election audits. SB 254 removes that exemption and directs the Secretary of State to implement rules to audit counties that don't use vote-counting machines.

### **SB 93      Sen. Mike Cuffe**

Revises ballot initiative laws to cover administrative expenses and improve the process of citizen-led ballot initiatives. Without this reform, the Montana taxpayers bear the burden of paying for initiatives promoted by private groups. This reasonable \$3,700 fee ensures that the burden of paying for ballot initiatives falls to the people and groups who want to see them on the ballot.

### **HB 173      Rep. David Bedey**

Requires vote tabulation machines have no modems or external communication devices, and that a third party test be used to verify their absence. This common sense reform ensures that machines designed to count votes cannot be hacked or tampered with, increasing confidence in the accuracy of the vote count.

**HB 196      Rep. Lyn Hellegaard**

Requires that tabulation be continuous, and that from 8 p.m. on Election Day onward, that updates of the vote count be made publicly available every two hours. This reform prevents unnecessary delays in the vote counting and limits opportunities for paperwork errors and other mistakes.

**HB 335      Rep. David Bedey**

The procedures for updating the absentee ballot list will be revised to include restrictions on mailing absentee ballots to voters on the inactive list. Additionally, before an absentee voter is placed on the inactive list after their ballot is returned as undeliverable, certain notices must be sent ensuring that voters who no longer live at that address do not receive ballots in the mail.

**HB 712      Rep. Zach Wirth**

The act of amending election laws in Montana aims to disallow illegal aliens from casting their votes. Only those individuals who have obtained United States citizenship may register to vote. The State of Montana has a strict policy that forbids illegal aliens from participating in the voting process.

**Select Committee on Election Security Bills**

**SB 481      Sen. Carl Glimm**

This bill would address Machine Auditing and Best Practices. It would require the cast vote record (CVR) function to be activated and turned on in all Montana voting systems at all times. The CVR records must be retained for a time period of 7-years and for legitimate purposes; and are not public record.

**SB 498      Sen. Shane Morigeau (D)**

Bill that came via the select committee on elections. Updates code so that absentee ballot lists are included in the annual list clean-up. Requires all counties to send a card to all absentee voters on absentee list to re-up for the absentee list (similar to HB 335 from Rep. Bedey). Requires the state to verify the validity of a registration when an absentee ballot is returned as undeliverable by the post office. An elector would be moved to the inactive list if the address cannot be verified.

# Education

*The Legislature passed major education reforms and funding to give parents and children more options to meet their educational needs, create more choice in education, increase pay and availability of educators, and incentivize trades education and workforce development. Together, these reforms move education in Montana in a direction of more freedom and better career development.*

**HB 15          Rep. David Bedey**

Funds Montana schools, applies statutory inflation for K-12 funding for next biennium.

**HB 588          Rep. Llew Jones**

Revises education laws that pertain to incentives for increasing starting teacher pay. It clarifies that the first three years of a teacher's career do not include any years under an emergency authorization for the incentive. This authorization helps Montana's school districts hire and retain qualified teachers who might be lured away by neighboring states which offer higher pay to new teachers.

**HB 245          Rep. Sue Vinton**

Increases the number and types of trades eligible for the Trades Education and Training Tax Credit by expanding the list of qualifying trades and providing the Department of Revenue with the authority to further expand the list through its existing rulemaking authority. Continues to build on Montana's work of promoting and incentivizing trades education and workforce development.

**SB 373          Sen. Dan Salomon**

Provides for alternative teacher credentials by allowing new and alternative certification requirements for teachers. This would allow certifications by alternate means for teachers with expertise that don't meet the current criteria. Flexibility and Alternative Teacher Certifications would alleviate the ongoing teacher shortages across the state.

**HB 408          Rep. Sue Vinton**

Revising the income tax credits for student scholarship organizations and innovative educational programs. It includes increasing the total amount available for these credits, restricting the amount of donations that a single school district can keep, and allowing for the redistribution of funds that exceed a district's limit to those that receive advanced opportunity aid.



**HB 393      Rep. Sue Vinton**

Establishes the Special Needs Equal Opportunity Education Savings Trust, which provides funding for special needs education savings accounts. These accounts allow eligible special needs children to obtain needed services through money held in the accounts and prescribes how the Office of Public Instruction administers the program.

**HB 562      Rep. Sue Vinton**

Authorizes the establishment of Community Choice Schools to provide additional educational opportunities. It establishes a Community Choice School Commission and Choice School Authorizers for overseeing these schools. It provides for the creation, renewal, revocation, and closure of Choice Schools, and establishes conditions for their access to school district facilities and land. The act also exempts Choice School teachers from state certification requirements and provides for funding of these schools through the Community Choice School Account.

**HB 549      Rep. Fred Anderson**

Establishes public charters under the supervision of the board of public education to increase educational opportunities and options for Montana students. The act also outlines the duties of the Board of Public Education and required elements of charter applications and contracts, establishes reporting requirements, and sets enrollment and governance requirements for public charter schools. It provides for the creation, renewal, revocation, and closure of public charter schools, establishes performance measures, and provides for funding through the Public Charter School Account.

**HB 587      Rep. Llew Jones**

This bill brings transparency and local tax relief for the 95 mills collected from local property taxes by equalizing funding between school districts in different parts of the state. The bill also earmarks roughly a third of that money to go toward state assistance for county retirement levies to stabilize those funds.

**HB 203      Rep. David Bedey**

General revision of education laws concerning out-of-district attendance. It aims to increase educational options and fairness for taxpayers by revising out-of-district and tuition laws. The act provides limited grounds for denying an out-of-district attendance application, and it requires districts of residence to pay tuition for resident children who attend out of district. Furthermore, the act ensures that tuition revenue received by a district of attendance is utilized to reduce local property taxes. Increases educational options for children and could encourage some competition among school districts to better meet the needs of students.

**HB 257      Rep. Sprunger**

Revises laws related to advanced opportunity programs by expanding personalized learning opportunities for students, which can help accelerate their career and college readiness and reduce costs for families. It also increases the amount of aid available to school districts and the percentage of aid that must be allocated to reducing out-of-pocket costs for families.

**SB 444      Sen. Jason Small**

Establishes guidelines for work-based learning programs and encourages work-based learning as an alternative hands-on education option for students. This bill increases Montana's commitment to grow high-paying trade jobs and provide a skilled workforce.

**HB 214      Rep. Marta Bertoglio**

Requires school districts to offer remote instruction for out-of-district students under certain conditions, and provides fractional enrollment for Average Number Belonging (ANB) calculations when a student is enrolled in multiple school districts.

# Life, Family, Students & Minors

*Republican legislators passed new laws to protect the unborn and restrict abortion, make life easier and more affordable for families, protect children, and let kids be kids.*

## **Pro-Life**

### **HB 862      Rep. Mike Hopkins**

Implements the standards of the federal Hyde Amendment into Montana law, restricting Medicaid coverage for abortions unless the pregnancy would “place the woman in danger of death” or was the result of rape or incest. These Hyde Amendment protections have existed in federal law since 1993, through Democratic and Republican administrations to prevent public-funding of elective abortions.

### **HB 544      Rep. Jane Gillette**

Allows abortion to be covered by Montana’s Medicaid program only if the life of the mother is in danger, the pregnancy is the result of rape or incest, or if the abortion is medically necessary. Stops tax dollars from being used to pay for most (all unnecessary) abortions. Montana’s state version of the federal Hyde Amendment.

### **HB 937      Rep. Lola Sheldon-Galloway**

Provides for licensure of abortion clinics in Montana. To obtain a license, facilities would need to follow uniform staffing, sanitation and safety standards promulgated by the State. This bill would improve the quality of facilities by creating uniform regulations.

### **SB 154      Sen. Keith Regier**

Defines the right to individual privacy and clarifies that the right of privacy in the state constitution does not include the right to abortion. Will be challenged in court and is intended to make the courts reconsider the 1999 *Armstrong* decision saying the Montana Constitution’s right to privacy includes the right to pre-viability abortions.

### **HB 575      Rep. Lola Sheldon-Galloway**

Prohibits an abortion of an unborn viable child unless it is necessary to preserve the life of the mother. States that viability is assumed at 24 weeks of pregnancy and requires a determination of viability to be made in writing by the physician.

**HB 625      Rep. Kerri Seekins-Crowe**

Requires doctors to take whatever means necessary to save the life of a baby born alive from a failed abortion and creates penalties for failing to do so. This bill adopts the Infant Safety and Care Act. Explicitly states that nothing in this bill prevents parents from refusing medical treatments that are unnecessary or will only temporarily prolong the life of a dying infant (addressing the concerns raised on the Born Alive Infant Protection Act ballot initiative from the 2021 legislative session).

**HB 721      Rep. Matt Regier**

Bans dismemberment abortions, which are performed after 12 weeks, with the exception of those performed in a medical emergency. The Dismemberment Abortion Prohibition Act also includes reporting requirements and penalties and professional sanctions.

**Pro-Family****HB 225      Rep. Courtenay Sprunger**

Establishes a one-time adoption tax credit of \$5,000 per child or adopted individual incapable of providing self-care. This bill encourages adoption of children and makes it financially viable for more families to adopt children from foster care.

**HB 200      Rep. Sherry Essmann**

This bill proposes changes to the Montana Safe Haven Newborn Protection Act, specifically to acknowledge that parents can surrender their newborn through a newborn safety device or by making an emergency call. Additionally, parents must be informed that they have the option to remain anonymous.

**HB 556      Rep. Jennifer Carlson**

A general revision of day care laws. It provides an exception for a private residence that offers care for six or fewer children and doesn't receive certain payments from the requirement to obtain a family day-care home registration certificate. Expands day care options for Montana families and removes unnecessary government red tape.

**HB 187      Rep. Alice Buckley (D)**

This act serves to specify that child care is considered a residential purpose and a residential use of property. Allows greater flexibility and availability of child care in the state.

**SB 339      Sen. Ken Bogner**

Empowers parents to allow their children reasonable independence. This bill encourages children at the discretion of parents and/or guardians to be active, independent, learn problem solving skills and develop their intellectual, emotional, and physical maturity. A pro “free range children” bill.

**HB 213      Rep. Braxton Mitchell**

Lays out the provisions for obtaining a certificate of nonviable birth, and sets the criteria and procedures for both requesting and issuing a certificate. Allows parents grieving a miscarriage to obtain a form of birth certificate of their child.

**Students and Minors**

**HB 676      Rep. Kerri Seekins-Crowe**

Establishes that parental rights, including the right to educate their child, the religion they raise their child in, and the biometric data of their child, are exclusively the domain of parents and free from government interference. The act provides parental rights and responsibilities and prohibits medical care for a child without parental consent, subject to exceptions.

**HB 745      Rep. Greg Kmetz**

Protects students' right of free exercise of religion and allows for prayer at school-sponsored events by revising education laws regarding the use of religious practices and materials in schools. It would also protect the rights of students to read religious books during free reading time and for self-selected reading requirements.

**HB 450      Rep. Jedediah Hinkle**

This act allows a student to use reasonable physical force to protect themselves or someone else if physically attacked. However, if a student breaks this rule, defaces or damages school property, threatens someone or their property, or violates district conduct policies, they may face punishment, suspension, or expulsion under this title.

**HB 744      Rep. Greg Kmetz**

This act states that students have the right to start or engage in discussions about religion, religious beliefs, or religious practices with other students or teachers without any prohibitions.

**HB 234      Rep. Bob Phalen**

This bill aims to distinguish between two criminal offenses - obscenity and the display or distribution of obscene material to minors. Restricts the public display or dissemination of obscene materials to minors and allows localities to enact even stricter prohibitions than the state.

**HB 359      Rep. Braxton Mitchell**

Forbids minors from attending adult-oriented shows and entering adult-oriented establishments. It would also prohibit adult-oriented performances in libraries or schools that receive state funding, and on public property where children are present. Additionally, the act would forbid adult-oriented performances in any location owned by an entity that receives state funding.



# Civil Liberties: Guns, Tech Privacy, Individual Rights

*The Legislature passed many new laws to protect Montanans' individual rights and civil liberties. We cracked down on the government's use of facial recognition technology, further protected Montanans' privacy in the age of technology, protected and expanded Montanans' ability to exercise their Second Amendment rights, further protected citizens' rights to exercise their personal religious beliefs, and more.*

## Tech Privacy

### **SB 397      Sen. Ken Bogner**

Restricts government's use of facial recognition technology. Would prohibit state and local governments from using facial recognition technologies for continuous surveillance. The bill would regulate the technology for individual identification uses and would create strict processes for law enforcement to employ the technology in certain criminal investigations. Currently there are no specific regulations governing facial recognition technology in Montana.

### **SB 384      Sen. Daniel Zolnikov**

The Consumer Data Privacy Act. Creates numerous policies and protections for Montanans within the complex and opaque industry of data harvesting and brokering. The bill applies to data obtained about individuals through social media, shopping purchases, internet traffic, phone applications, electronic devices, and other means. A complex piece of legislation but it boils down to this: it gives Montanans more insight into and control over their data, including opting out of having their data collected. It also gives people the ability to have their data corrected if it's wrong or even have it deleted.

### **SB 351      Sen. Daniel Zolnikov**

The Genetic Information Privacy Act. Requires thorough transparency and disclosure from companies that have or use people's genetic data (DNA). The bill requires companies to provide clear privacy policies regarding consumers' genetic information and to obtain consent before collecting or using the person's genetic data or sharing the information with another party.

**SB 325      Sen. Chris Friedel**

Updates Montana's spousal privilege laws for today's technology environment. Bans the government from seeking spouses' communications with each other from third party providers of electronic communications services (phone companies, social media, etc.), with important and notable exceptions (the bill doesn't apply to cases when spouses commit crimes against each other or children, or if spouses are engaged in a civil action like a divorce). The bill puts spouses' communications with each other to a higher standard for government intrusion, recognizing the sanctity of the institution of marriage.

**Gun Rights****SB 359      Sen. Terry Vermeire**

Would prohibit financial institutions from tracking firearms-related sales using unique identification codes or other means. The bill comes in response to moves from credit card companies, banks, and anti-gun activists seeking to weaponize the financial system against gun owners. SB 359 is written broadly to cover a wide range of financial institutions and payment providers and prohibits the tracking of sales of firearms, firearm components, accessories, and ammunition. A violation of SB 359 would fall under Montana's unfair trade practices statutes.

**SB 361      Sen. John Fuller**

Intended to prevent financial entities from discriminating against individuals, associations, and businesses for carrying firearms or allowing customers to carry firearms on their premises. Requires the filing of a certificate of nondiscrimination and includes penalties for violations.

**HB 356      Rep. Brandon Ler**

Establishes that a government entity may not enter in a contract with a company that discriminates against firearm entities. This act is a revision of laws concerning firearms. It states that a company that has a policy of discriminating against firearm entities or firearm trade associations cannot contract with a governmental entity. Any company that wishes to enter into a contract with a governmental entity must provide written verification that they do not discriminate against firearm entities or firearm trade associations.

**HB 584      Rep. George Nikolakakos**

Prohibits government lawsuits against firearms manufacturers. This act forbids government lawsuits aimed at firearms or ammunition manufacturers that relate to the legal creation, promotion, or distribution of these products, preventing them from seeking reparations or injunctions.

**HB 631      Rep. Jedediah Hinkle**

This act, titled the Gun Owners Access to Justice Act, establishes that the state cannot restrict the right to bear arms unless a compelling state interest is present. It also establishes the right to a judicial proceeding and provides for the award of attorney fees and costs.

**HB 674      Rep. Kerri Seekins-Crowe**

This act establishes an enhanced permit for carrying a concealed weapon. It outlines the requirements and guidelines for applicants and county sheriffs, including a permit renewal process. Additionally, it specifies individuals who are ineligible for an enhanced permit and offers a temporary restricted enhanced permit for those aged 18 to 20. The enhanced permit is completely optional for Montanans, it requires more of the applicant than general concealed carry permits, but allows Montanans with the enhanced permit to carry in more additional states that have stricter requirements for concealed carry.

**SB 423      Sen. Ken Bogner**

This bill would limit liability for an individual or private entity who holds firearms for another person who may be experiencing difficulties in his or her life. Unless used in unlawful conduct, no cause of action may arise against an individual or a private entity for returning a firearm to the firearm owner at the termination of a firearm hold agreement. The bill is designed to encourage people to temporarily take possession of firearms from people who may be suicidal or be in other situations where it would be best if they didn't have their guns immediately on hand. Encourages responsible firearm ownership and gun safety.

**Other****SB 159      Sen. Becky Beard**

Stops government from using the power of eminent domain to confiscate people's private property for recreational or cultural purposes. This additional restriction on eminent domain strengthens Montanans' private property rights.

**HB 303      Rep. Amy Regier**

Provides protection to medical practitioners, healthcare institutions, and healthcare payers who refuse to participate in healthcare services based on conscience. The act provides free speech protections and whistleblower protections, as well as immunity to these entities. The act also limits governmental liability and provides remedies for any issues that may arise when healthcare practitioners refuse services.

**HB 443      Rep. Kerri Seekins-Crowe**

Prohibits discrimination in the real estate industry and other licensed professions or occupations based on an individual's free exercise of religion or freedom of speech and expression. It also prohibits the investigation of a complaint against a licensed professional for unprofessional conduct based on their exercise of religion or freedom of speech. The act specifies that engaging in the free exercise of religion or the freedom of speech and expression is not considered unprofessional conduct.

**SB 270      Sen. Keith Regier**

Prohibits employers from firing employees for legal free speech on social media platforms unless the employee has violated their employment contract or employer's written policy on social media use.

**SB 178      Sen. Daniel Zolnikov**

Prohibits discriminatory digital asset mining utility rates, limits local government powers related to digital asset mining, and prevents taxation on the use of cryptocurrency as a payment method. The bill makes Montana more attractive to and supportive of new and upcoming industries.

# Health Care

*The Legislature passed what is likely the biggest investment in mental health care in the history of the state, is making nonprofit hospitals more transparent and accountable for their tax exempt statuses, shored up nursing homes and public health care institutions, enacted red tape relief to increase access and make health care more affordable, and protected minors from life-altering surgeries.*

## **HB 872      Rep. Keenan**

Proposes revisions to the current behavioral health systems and the creation of the Behavioral Health System for Future Generations Commission. This Advisory Commission will develop and present recommendations to legislative committees for improving Montana's mental health system before legislators vote on a final product. The work of the Commission and the Legislature will improve the availability of mental health services, remodel and modernize Montana's state hospital, and provide crisis services in Montana's rural areas.

## **HB 45      Rep. Bob Keenan**

Revises laws related to hospital financial assistance and community benefit requirements. Currently, non-profit hospitals pay reduced property taxes because they are supposed to provide charity care to Montana's poor. Over the years, hospitals have neglected their charity care responsibilities while becoming the largest landowners in many of Montana's counties and continuing to pay executives millions in compensation. This legislation requires that for hospitals to be taxed like non-profits, they must live up to their charity care responsibilities and care for Montana's communities.

## **HB 29      Rep. Jennifer Carlson**

Generally revises laws related to the involuntary commitment of individuals with Alzheimer's disease, other forms of dementia, or traumatic brain injury. The act provides an end to involuntary commitment of such individuals after June 30, 2025, when only certain commitment criteria are met. The act also requires the Department of Public Health and Human Services to transition Montana State Hospital patients with those diagnoses to community services and establishes a temporary transition review committee.

**SB 112      Sen. Tom McGillvray**

Intended to help address access to prescription medications, especially in rural parts of the state where health care providers are few and far between. Would allow pharmacists to prescribe some medications to patients. The bill contains restrictions on what types of drugs pharmacists may prescribe, including requiring that they be within the pharmacist's scope of practice and do not require a new diagnosis. The bill does not allow pharmacists to prescribe any controlled substances. Medications that help with diabetes, allergic reactions, UTIs, and strep throat are examples of simple yet time-sensitive needs that SB 112 is targeting.

**HB 313      Rep. Jodee Etchart**

Clarifies the scope of practice for physician assistants, allowing them to practice independently. It also clarifies their coverage under different health programs, including Healthy Montana Kids, health maintenance organizations, and multiple welfare employer arrangements.

**SB 99      Sen. John Fuller**

Prohibits certain medical and surgical treatments to treat minors with gender dysphoria, prohibiting public funds, programs, property, and employees from being used for these treatments while also stating that a healthcare professional who violates this law commits professional misconduct, providing a private cause of action, prohibiting discharge of professional liability via insurance. The purpose is to enhance the protection of minors and their families from any form of pressure to receive harmful, experimental puberty blockers and cross-sex hormones and to undergo irreversible, life-altering surgery before the age of 18.

**HB 101      Rep. Jane Gillette**

Modifies licensing reciprocity provisions for practitioners licensed by the Board of Behavioral Health who are out-of-state residents. It is established that licensure in another state is enough to obtain Montana licensure for new residents if specific conditions are met. If the qualifications are not substantially equivalent, the department will forward the application to the board to determine if the deficiency can be addressed by the applicant's actual qualifications and work experience. Designed to increase the number of doctors in Montana.

**SB 340      Sen. Jason Small**

Revise laws related to insurance coverage of insulin. This bill would put a \$35.00 price cap on insulin copays.

**SB 456      Sen. Terry Vermeire**

Eliminates required licensure of a person to sell over-the-counter hearing aids. Reduces red tape and increases access to more affordable hearing aids.



**SB 422      Sen. Ken Bogner**

Removes the restriction that patients be terminally ill to receive experimental medications and treatments under the Right to Try Act. This is a medical freedom bill to give Montanans the freedom to choose to try experimental treatments to treat serious conditions without requiring that they be on their deathbeds to try those treatments.

**HB 376      Rep. Jane Gillette**

Establishes a hospital patient bill of rights which outlines a set of rights that can be exercised by patients or their designated surrogate in cases where the patient lacks decision-making capacity, is legally incompetent, or is a minor. Some of the statements in the patient's bill of rights include that the patient is entitled to receive dignified and respectful treatment, is entitled to obtain relevant, current, and understandable information about their diagnosis, treatment, and prognosis from physicians and other direct caregivers, and is encouraged to do so.

**SB 308      Sen. Ken Bogner**

This bill states that a healthcare facility must allow a patient to have at least one in-person visitation (minimum of 2 hours) per day from a person of their choosing including but not limited to a family member.

**SB 100      Sen. Greg Hertz**

Amends the natural substance formulary list for naturopathic physicians to expand the homeopathic treatments that may be prescribed.

**SB 101      Sen. Greg Hertz**

Revises current law to allow naturopaths to dispense drugs as long as the practitioner registers with the board of pharmacy and complies with all requirements in this bill.

**HB 706      Rep. Naarah Hastings**

This act establishes the Medical Practice Protection Act. It prohibits taking any action against a health care professional for recommending lawful health services, including prescribing off-label prescriptions. This allows patients and doctors to determine the best course of treatment without fear of retribution.

# Judicial Reform

*In April 2021, the Legislature learned that the judicial branch through its private non-profit, the Montana Judges' Association, was inappropriately asking judges whether they supported legislation that might be challenged in their courtrooms. Following this revelation, the Legislature appointed a select committee on Judicial Accountability and Transparency to propose reforms to the operation of Montana's judicial branch.*

*The legislative package recommended by the Select Committee and passed by the Legislature clarifies the Legislature's subpoena powers to ensure no government office evades oversight, creates transparency in the judicial complaint process, reforms how laws can be blocked from taking effect by the courts and changes a variety of court procedures that are currently abused by activist judges.*

## **SB 191      Sen. Steve Fitzpatrick**

Revises laws to match federal court standards for granting preliminary injunctions. Creates a more rigorous standard than what exists currently for granting preliminary injunctions to block conservative policies, stop natural resource projects, and more.

## **SB 134      Sen. Steve Fitzpatrick**

Establishes timelines for restraining orders and preliminary injunctions so a court order temporarily blocking an action is truly temporary. Under current law, resolving the injunctions takes months, if not years, preventing laws from taking effect.

## **SB 252      Sen. Greg Hertz**

Expands state ethics laws to include justices, judges, and judicial branch employees. Applies existing laws for the executive branch (such as not using state time or resources for political campaigns, not accepting gifts, etc.) to judicial branch officials.

## **SB 490      Sen. Greg Hertz**

Spells out the Legislature's investigative and subpoena powers to clarify and push back on the Montana Supreme Court's ruling in the *McLaughlin* case from the 2021 legislative session that severely restricted the Legislature's subpoena and investigatory powers. SB 490 protects the Legislature's ability to gather the information it needs to legislate effectively and hold the government accountable.

**SB 313      Sen. Keith Regier**

This bill increases transparency at the Judicial Standards Commission. The JSC, which oversees discipline for the State's judges and justices, now must tell the public the nature of a complaint and why it was dismissed. Previously, they provided only a one word description of the complaint and no explanation as to why the complaint was dismissed. Providing this additional information will increase accountability for Montana's judges and help weed out the potential bad actors.

**HB 326      Rep. Kerri Seekins-Crowe**

Reforms the appointment of members of the Judicial Standards Commission, by establishing a nomination panel of Representatives appointed by the Speaker of the House. Requiring the Speaker to appoint two district court judges to the commission, requiring the attorney general to appoint an attorney to the commission, while also providing a transition of power.

**HB 695      Rep. Bill Mercer**

Prevents parties who want to file lawsuits against the State from getting a temporary restraining order against a law or state action without informing the State they intend to file suit. This bill ensures that the State will be able to fight a temporary restraining order in court before it is issued.

**HB 709      Rep. Jane Gillette**

Requires a publicly available performance report for district courts and district court judges. This report helps the State determine which counties need more judges to handle growing caseloads. Without accurate information, resources cannot be allocated correctly and the courts will become overloaded and inefficient.

**SB 410      Sen. Barry Usher**

Over the years, the responsibilities assigned to the court administrator have grown exponentially because the Supreme Court can assign any job they want with no oversight. As a result, the office is overworked and overburdened. This bill would limit the Court Administrator and her office to the functions contained in statute to prevent expansion of government.

# **Criminal Justice & Public Safety**

*Republican lawmakers passed serious reforms to protect people's rights and due process in CPS cases, crack down on serious criminal offenses, and protect the public.*

## **CPS**

### **SB 148      Sen. Dennis Lenz**

Revises laws regarding legal representation of children. Would ensure minors have proper legal representation in cases of abuse and neglect. When appropriate and in accordance with judicial branch policy, the court may assign counsel at the court's expense for a guardian ad litem or a court-appointed special advocate involved in a proceeding under a petition filed.

### **HB 16      Rep. Jennifer Carlson**

Revises procedures related to child abuse and neglect cases regarding information disclosure and hearings. The act aims to revise the procedures related to child abuse and neglect proceedings in a general manner. It also allows for the sharing of information with the Office of State Public Defender. Further, the act proposes prehearing conferences before Emergency Protective Services hearings and removes the exception for the use of these conferences and hearings for cases under the Indian Child Welfare Act. The act also clarifies that a support person can attend the Emergency Protective Services hearing.

### **HB 37      Rep. Jennifer Carlson**

Revises child abuse and neglect laws relating to warrants and timelines for proceedings. This act aims to update laws related to child abuse and neglect. It mandates that a warrant is necessary for removing a child from their home unless there are emergency circumstances. Additionally, the definitions of "child abuse or neglect" and "reasonable efforts" are revised. The deadline for filing an abuse and neglect petition when a child is removed is also amended, as is the deadline for holding an emergency protective services hearing. Requirements for dismissing an abuse and neglect petition are also modified.

### **HB 385      Rep. Jennifer Carlson**

This act aims to modify discovery procedures in child abuse and neglect proceedings. It mandates that the Department of Public Health and Human Services must disclose information to parents who are parties to the proceeding upon request.

**SB 149      Sen. Dennis Lenz**

Establishes penalties for false reporting in child protective services cases. Creates penalties for false reporting in CPS cases, which currently do not exist. Malicious false reporting would be subject to a higher penalty.

**SB 182      Sen. Dennis Lenz**

Would improve the existing system by creating a specialty court system for dependency and neglect cases. This bill specifies members and duties and establishes reporting requirements to create consistency and efficiency in a difficult legal process.

**SB 352      Sen. Dennis Lenz**

Creates a task force to modify and improve the child protective services system. The task force includes the following: two members of the House of Representatives, two members of the Senate, the director of the Department of Public Health and Human Services or a designee of the director; a county attorney or a designee of a county attorney; a district court judge appointed by the Chief Justice of the Supreme Court; the director of the Office of State Public Defender or a designee of the director; a tribal member, a member of the public and a member of law enforcement.

**Tough on Crime**

**SB 38      Sen. Bob Brown**

Brings sexual offender laws up to date and closes loopholes that made Montana more attractive for offenders that moved from out of state or from other countries. Helps parents protect their children.

**HB 112      Rep. Jodee Etchart**

A person convicted of the offense of aggravated sex trafficking shall be imprisoned in the state prison for a term of not less than 5 years or more than 40 years, fined an amount not to exceed \$50,000, or both.

**SB 265      Sen. Mark Noland**

Drastically increases the fines on criminals convicted of human trafficking. Increases existing human trafficking fines (\$50,000 or \$100,000 depending on violation) to \$400,000 for all violations. Hits traffickers in their pocketbooks as well as with existing strong jail time penalties.

**SB 491      Sen. Steve Fitzpatrick**

Any person who is harmed while attempting to engage in, engaging in, or fleeing after having engaged in conduct that is classified as a felony offense may not recover damages from a crime victim or other person that used reasonable self-defense to protect a crime victim.

**SB 13      Sen. Keith Regier**

Expands the ability to test for drugs in DUI cases to include testing “oral fluid” (saliva) for the presence of drugs.

**Other Criminal Justice Bills**

**SB 419      Sen. Shelley Vance**

An act banning the TikTok app in Montana by prohibiting an internet service provider from allowing the operation of TikTok in the State and prohibiting mobile application stores from offering TikTok to Montana users. Any entity that violates this bill will be liable to the amount of \$10,000 for each violation and is liable for an additional \$10,000 each day thereafter if the violation continues. Intended to address concerns that TikTok can be used as a surveillance tool of the Chinese Communist Party as it's a China-based social media app.

**SB 94      Sen. Barry Usher**

Would help sober living housing standards via a new certification program. Would provide requirements and prohibit certain practices for recovery residences. Creates a registry of recovery residences in Montana and requires certification for a recovery residence to receive rental vouchers and transitional assistance funds from the Department of Corrections.

**HB 399      Rep. Bill Mercer**

Requires child sexual abuse cases where an employee of a county attorney office is involved to be reported to the Attorney General. Serves to update reporting requirements for county attorneys and attorneys general with regards to childhood sexual abuse. It involves modifying reporting requirements.

**SJ 5      Sen. Bob Brown**

Resolution urging Congress to fully fund law enforcement in Indian Country. Puts a demand on the feds to start living up to their obligation to fund law enforcement on reservations and protect all Montana.

# Energy and Natural Resources

*From combating judicial activism to making Montana a leader in all-of-the-above energy production, Republican lawmakers are united in promoting the energy and natural resource sectors and encourage development of our resources.*

## **HB 971      Rep. Josh Kassmier**

An environmental review conducted may not include an evaluation of greenhouse gas emissions and corresponding impacts to the climate in the state or beyond the state's borders. Bill is a direct response to a ruling by Judge Moses in Yellowstone County against the Laurel natural gas plant, a ruling that would have severe ramifications for all types of jobs and industries in the state. An important pro-jobs and pro-energy bill to fix a terrible, judicial activist ruling.

## **HB 114      Rep. Sue Vinton**

Accelerates the timeline from 360 days to 105 for the application process, allowing Montana to meet future water needs while also protecting existing water rights holders. This bill proposes changes to the application process and the consideration of a permit or change in an appropriation right. It also suggests revised timelines for the department's consideration of water right applications or changes. Additionally, it calls for preliminary determinations of water right applications or changes to be made, and for notice to be provided accordingly.

## **HB 576      Rep. Rhonda Knudsen**

Directs the DEQ to classify coal mining activities impacting ephemeral and intermittent streams as a "nonsignificant activity" subject to less stringent environmental review. This reform will prevent small environmental impacts from being used to deny permits for natural resource development.

## **SB 3          Sen. Mike Cuffe**

Establishes a fair ongoing basis for determining timber production tax to ensure a future supply of logs for lumber products.

## **SB 208      Sen. Jason Small**

Would ensure that local government may not adopt or enforce a policy that prohibits, impedes or has the effect of prohibiting or impeding the connection or reconnection of an electric natural gas propane or other energy or utility services provided by a public utility, municipal utility, cooperative utility, or other energy or fuel provider.

**SB 228      Sen. Jason Small**

Prohibits local governments from banning petroleum fuel-powered machinery, vehicles, vessels, tools, facilities, appliances and equipment.

**SB 274      Sen. Daniel Zolnikov**

Revises major facility siting decision requirements by removing the existing facility approval requirements of convenience and necessity and simply requiring that the facility will serve the public interest. Requires applicants to obtain any decision or permit prior to construction instead of having to wait until department or board issuance.

**SJ 10      Sen. Mike Cuffe**

A joint resolution expressing support of hydropower and the federal Columbia River Power System and opposing the removal of the lower Snake River dams.

**SJ 16      Sen. Mike Cuffe**

Opposes Article 13 of the Columbia River Treaty and any right to divert 1,500,000 acre feet of water from the Kootenai River to the Columbia River at Canal Flats, British Columbia. Requests that Article 13 and the right to divert water from the Kootenai River to the Columbia River at Canal Flats be removed in the modernization of the Columbia River Treaty language. Expresses the Legislature's desire to amend the treaty to prevent Canada from being able to divert significant amounts of water out of Montana.



# Agriculture

*The Legislature protected Montana's agricultural land from foreign adversaries and worked to ease burdens on agricultural and livestock producers throughout the state. Other policies like raising the business equipment tax exemption and county road infrastructure improvements will significantly benefit ag producers and agricultural communities in rural Montana.*

## **SB 203      Sen. Ken Bogner**

Prohibits the sale, lease, or rental of critical infrastructure and agricultural production land to foreign adversaries or corporations domiciled in foreign adversary nations. The bill would keep America's foreign adversaries, including China, Iran, Russia, and North Korea from establishing physical holdings within Montana that are critical to our national security and food production.

## **SB 78      Sen. Butch Gillespie**

Restructures the reimbursement costs of livestock to help ease the burden on the Livestock Loss Board and their very limited budget, allowing their resources more mileage.

## **SB 561      Sen. Steve Hinebauch**

Provides for the permitting of veterinary retail facilities and providing for the registration of veterinary dispensing technicians, and provides for continuing education requirements. This bill will improve availability of veterinary services in Montana's rural areas and lower costs for the agricultural community.

## **SJ 14      Sen. Mike Lang**

Opposes bison on the Charles M. Russell National Wildlife Refuge by stating that the State of Montana opposes the introduction of any bison on the CMR. The State of Montana has a vested interest in ensuring the continued physical and economic health of our agriculture industry through acting to eliminate disease and promote the industry.

## **SB 217      Sen. Butch Gillespie**

Would create a Rangeland Improvement Loan Special Revenue Account within the state special revenue fund - deposits to the rangeland improvement loan special revenue account would be placed in short-term investments, and the earnings would be deposited in the rangeland improvement loan special revenue account.

## **HB 487      Rep. Josh Kassmier**

Provides seed cleaning and conditioning services without obtaining a properly completed genuine grower declaration form as specified by the department.

**HB 821      Rep. Marty Malone**

Appropriates money to the department of agriculture for grants to assist Yellowstone, Musselshell, and Stillwater counties to combat Saltcedar, Russian Olive, and Common Buckthorn species.

# Conservation & Wildlife

*This legislative session featured the most collaborative approach to wildlife and conservation policy that Montana has seen in recent memory. Groups and lawmakers that are often at odds during legislative sessions instead came together, compromised, and passed a series of bills that a huge variety of stakeholders can be proud of.*

## **SB 295      Sen. Butch Gillespie**

This bill is a step toward delisting the grizzly bear. It revises Montana laws to accommodate grizzlies being delisted from the Endangered Species Act and returned to state management. SB 295 establishes parameters for the killing of grizzly bears for various reasons and requires actions be taken to keep grizzly populations at sustainable levels to remain off the Endangered Species List once delisted.

## **SB 58      Sen. Steve Hinebaugh**

Doubles the limit on the money that landowners can receive for participating in the Block Management Program from the current \$25,000 per year to \$50,000 per year. The increase would help fairly compensate landowners for voluntarily allowing public hunters onto their properties. The bill would help maintain and increase hunters' access to private land through Montana's Block Management Program.

## **SB 442      Sen. Mike Lang**

Directs tax revenue from marijuana sales to county roads, particularly rural roads for habitat access, includes funding for habitat programs, and also sends money to veterans and criminal justice programs. This bill brought a massive and diverse set of stakeholders together as advocates for the legislation.

## **HB 321      Rep. Linda Reksten**

Authorizes funding through the coal trust for conservation improvements, by redirecting all but 10% of coal trust revenues to the state's conservation district fund. The conservation districts provide critical funding to maintain habitat and conserve public lands, including shoreline restoration and watershed improvements.

## **HB 440      Rep. Steve Gunderson**

Establishes that for a multiple-day reservation, if the party fails to arrive at and claim the reserved campsite by 10:00 AM, on the second day of the reservation, the reservation is canceled. This relieves congestion at Montana's recreational sites and allows campsites to be filled for the duration of the reservation first-come, first-serve.

**HB 456      Rep. Brandon Ler**

Gives the purchaser of a general deer or elk tag the chance in the lottery for a Super Tag for mountain goat, Shiras Moose, or bighorn sheep. Applies only to residents purchasing tags, is meant to give Montana resident hunters another opportunity to potentially draw one of the sought-after once-in-a-lifetime tags.

**SB 324      Sen. Bob Brown**

This bill would revise FWP information disclosure rules to provide privacy for harvest locations and limit the information shared about locations.

**HB 146      Rep. Josh Kassmier**

Authorizes landowner preference for hunting deer and antelope licenses.

**HB 162      Rep. Braxton Mitchell**

A hunter may electronically validate any hunting license or tag issued electronically for any species for which a carcass tag is issued. This bill assists hunters and makes it easier to comply with the law.

**HB 94      Rep. Paul Green**

Eliminates red tape by repealing the requirement to report where huckleberries are harvested from during the season. This protects harvesters from unfair punishment for not engaging in a practice that few people know is a requirement.

# Tax Policy

*In addition to the largest tax cut in Montana history (under the “tax relief” section), the Legislature also passed several reforms making taxes more transparent and understandable.*

## **SB 123      Sen. Greg Hertz**

Helps promote transparency on local property taxes by requiring more realistic property values be used on ballot language for local bonds. Bond elections would have to include the tax impact on properties with values of \$100,000, \$300,000, and \$600,000 instead of only referencing \$100,000 and \$200,000 valuations, which currently artificially make tax increases appear lower than they actually are when voters are reading their ballots.

## **SB 332      Sen. Greg Hertz**

Requires local governments to include information on property tax increases in budget documents, and requires the budget resolution to include information on property tax increases.

## **HB 497      Rep. Fred Anderson**

Revises property tax notification requirements by mandating that the property tax bill must include a comparison with taxes owed in the previous year.

## **HB 124      Rep. James Bergstrom**

Moves tax collections on producers of beer, wine, and hard ciders from monthly to quarterly, simplifying tax collections for those producers.

## **HB 189      Rep. George Nikolakakos**

Raises the portion of a home’s value that can qualify for property tax assistance under the state’s Property Tax Assistance Program, upping the limit from \$200,000 to \$350,000 to address rising home values. It would also increase the income threshold for qualifying in the program, making ongoing property tax relief available to individuals who make up to \$27,621 a year and couples who make up to \$37,019.

## **SB 540      Sen. Daniel Zolnikov**

Requires the Department to use the revenue generated by the lodging facility use tax to support Montana’s rural communities instead of funneling money to popular tourist destinations that do not need the State’s help to increase tourism. Additionally, it allows for the transfer of funds from the Department’s lodging facility using tax allocation to finance the revolving loan program account to provide workforce housing infrastructure so tourism destinations that are far from urban areas can provide affordable housing.

# Military and Veterans

*The Legislature changed state laws to be more accommodating to military members and their families and honor and recognize veterans.*

**HB 583      Rep. Brad Barker**

Revises licensing and certification laws and provides educational certification and endorsement reciprocity and occupational licensing reciprocity for military members, military spouses, and veterans.

**HB 336      Rep. Edward Buttrey**

Provides state recognition for family child-care providers that are licensed by a branch of the United States Armed Forces.

**HB 63      Rep. Scot Kerns**

Revises civil and criminal liability laws related to members of the Armed Forces and the Montana National Guard. It limits civil liability for emergency care rendered at the scene by members of the National Guard.

**HB 427      Rep. Scot Kerns**

Provides that members of the National Guard and Air National Guard are entitled to workers' compensation while on state duty, providing that the department of military affairs must cover the difference between workers' compensation benefits and the injured member's Federal compensation rate.

**HB 81      Rep. Braxton Mitchell**

Provides for a State Veteran cemetery in Flathead County as funding allows.

**SB 221      Sen. Barry Usher**

Allow USS Montana crew to apply for license plates. At the request of the sailors, this bill would allow sailors on the USS Montana to have Montana license plates when not residents of the state.

# Strengthening the Legislative Branch

*The Legislature passed a series of bills to strengthen its role as a coequal, independent branch of government (the branch that is the closest to the people of Montana) and improve the efficiency and capabilities of the legislative branch.*

## **SB 73      Sen. Tom McGillvray**

SB 73 came at the request of the Legislative Audit Committee to ensure that auditors can access the information they need to fulfill their constitutional oversight role. Unlike many other states that have robust laws enforcing the rights of their auditors to access records, Montana currently lacks an enforcement mechanism to ensure auditors get the information they need. SB 73 would strengthen the Legislative Auditor's ability to access information, records, and data in state agencies by creating an enforcement mechanism to ensure compliance from government agencies. The bill would apply criminal penalties to elected and appointed officials for official misconduct in cases where audit access is refused or obstructed.

## **SB 176      Sen. Keith Regier**

Revises interim committees to remove deadlocked policy committees by making interim committee membership weighted based on which party is in the majority and minority. Also ensures the party in the majority always chairs all interim policy and legislative administrative committees. SB 176 will help interim committees be more productive and more representative of the citizens who elected legislators.

## **SB 128      Sen. Jason Ellsworth**

Creates a small change to the state's ethics laws governing public employees to allow the Legislature's full-time appointed exempt staff to assist legislators in expressing their opinions on ballot initiatives and referenda. Will allow the caucus staff to help legislators with things like writing opinion columns about constitutional referenda or respond to reporter inquiries asking what lawmakers think about a citizen ballot initiative.

## **HB 167      Rep. Jill Cohenour (D)**

A Legislative Council-requested ethics amendment clarifying what types of "political" activities the Legislature's appointed exempt (caucus) staff may engage in. Doesn't really change anything in existing law but will get Legislative Services to sign off on a couple new communications resources. Stay tuned for the Senate Republicans' email newsletter that Kyle will be putting together, as well as likely a webpage featuring the Senate GOP's priorities, press releases, etc. that will be developed during the interim.

**HB 110      Rep. Bill Mercer**

Makes permanent the interim budget committees and exempting those committees from interim study assignments.

**HB 518      Rep. Bill Mercer**

Provides legislative standing to sue to ensure compliance with legislative enactments. It also creates duties and authority to intervene when the constitutionality of a statute is challenged in a lawsuit. It also provides standing to the legislature by joint resolution or a poll conducted by the Secretary of State.

**HB 739      Rep. Bill Mercer**

Requires notification of early implementation of rule changes by agencies to the relevant legislative committee. The bill allows the legislative committee to object and delay the rule implementation.



## Miscellaneous State Administration

*The Legislature passed policies to strengthen ethics in state government, improve transparency and public participation in government, and make state government operate more efficiently.*

### **HB 228      Rep. Terry Moore**

Revises public investments by prohibiting the consideration of ESG factors. Keeps social justice activism out of our state's investing process.

### **HB 412      Rep. David Bedey**

Revises the code of ethics and expands and clarifies the prohibition on the use of public resources for political purposes. Strengthens the ethics requirements that all state officials have to abide by, including more strict ethical requirements for judges and legislators than existed before this bill.

### **HB 724      Rep. Brad Barker**

Revises public notice requirements and allows agencies to publish meeting agendas on the agency website or social media page if they have one. It requires local governments and school boards to publish meeting agendas prior to the meeting. Increases transparency in government and the public's ability to exercise their rights to participate in government activities and decision making.

### **HB 693      Rep. Bill Mercer**

A public agency may not refuse to disclose public information because the requested public information is part of litigation or may be part of litigation unless the information is protected from disclosure under another applicable law. Increases transparency in government and the public's Right to Know.

### **SB 50      Sen. Dan Bartel**

Revises laws related to data breach notification. Requires state agencies and third parties to report security incidents and defines 'chief information security officer' and 'security incident'.

### **SB 424      Sen. Forrest Mandeville**

Would allow executive branch cabinet officials to appoint a handful of exempt personal staff like the Governor, AG, SOS, Auditor, Superintendent, PSC, and legislative leadership can currently do. Meant to allow cabinet officials to have a small team of core staff that they directly appoint, which is especially helpful in transitions between administrations. The bill does not authorize new FTEs; agencies would have to convert a very limited number existing positions to appointed positions over time.