

HOUSE BILL NO. 292

INTRODUCED BY BENEDICT

IN THE HOUSE

JANUARY 21, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON JUDICIARY.

 FIRST READING.

FEBRUARY 1, 1991 COMMITTEE RECOMMEND BILL
 DO PASS. REPORT ADOPTED.

FEBRUARY 2, 1991 PRINTING REPORT.

FEBRUARY 4, 1991 SECOND READING, DO PASS.

FEBRUARY 5, 1991 ENGROSSING REPORT.

FEBRUARY 6, 1991 THIRD READING, PASSED.
 AYES, 99; NOES, 0.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 7, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON JUDICIARY.

 FIRST READING.

MARCH 16, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

MARCH 18, 1991 ON MOTION, CONSIDERATION PASSED
 UNTIL THE 59TH LEGISLATIVE DAY.

MARCH 20, 1991 ON MOTION, CONSIDERATION PASSED
 UNTIL THE 65TH LEGISLATIVE DAY.

MARCH 28, 1991 SECOND READING, CONCURRED IN AS
 AMENDED.

APRIL 1, 1991 THIRD READING, CONCURRED IN.
 AYES, 47; NOES, 2.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 8, 1991

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 9, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 292
2 INTRODUCED BY V. S. ...

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A
5 GOVERNMENTAL ENTITY THAT IS PARTY TO A COURT ACTION TO
6 PREPAY CERTAIN FEES; AND AMENDING SECTION 25-10-405, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 25-10-405, MCA, is amended to read:

10 "25-10-405. Governmental entities not required to
11 prepay fees -- exceptions. The state, a county, a
12 municipality, or any subdivision thereof or any officer when
13 prosecuting or defending an action on behalf of the state, a
14 county, a municipality, or a subdivision thereof is not
15 required to pay or deposit any fee or amount to or with any
16 officer during the prosecution or defense of an action,
17 except the fee under 25-1-201(1)(p) for filing a motion for
18 substitution of a judge and all fees for photocopies,
19 postage and handling, certifications or authentications, and
20 record searches."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0292, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring a governmental entity that is party to a court action to prepay certain fees.

ASSUMPTIONS:


1. Costs will increase with the implementation of HB0292. However, due to the sporadic occurrence of court actions and differing levels of documentation associated with each action, no ascertainable material fiscal impact is available or assumed.

FISCAL IMPACT:

Minimal impact on all funds is assumed.


EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

This bill clarifies that Clerk of Court service charges other than filing fees may be assessed to governmental entities. The primary impact would be to Lewis & Clark County which is currently charging fees for photocopies, certifications, and searches based on a prior county attorney's opinion. Statewide, minimal impact on local revenues is assumed.


ROD SUNDSTED, BUDGET DIRECTOR
Office of Budget and Program Planning

DATE

3-22-91


STEVE BENEDICT, PRIMARY SPONSOR
Fiscal Note for HB0292, as introduced

DATE

3/22/91

HB 292-1

APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 292
2 INTRODUCED BY W. S. Galt

3
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-End-

SECOND READING

HB 292



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House BILL NO. 292
W. Schellert

INTRODUCED BY _____

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-End-



THIRD READING
HB 292

SENATE COMMITTEE OF THE WHOLE AMENDMENT

March 26, 1991 12:25 pm

Mr. Chairman: I move to amend House Bill No. 292 (third reading copy -- blue) as follows:

1. Page 1, line 19.
Strike: "certification or"

ADOPT

REJECT

Signed: 

Senator Halligan

 3-26-91
Amd. Coord.

SB 3/26
Sec. of Senate

SENATE
HB 292

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