

HOUSE BILL NO. 864

INTRODUCED BY GOULD
BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

FEBRUARY 14, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON JUDICIARY.

FEBRUARY 15, 1991 FIRST READING.

FEBRUARY 20, 1991 COMMITTEE RECOMMEND BILL
 DO PASS. REPORT ADOPTED.

 POSTED ON CONSENT CALENDAR.

FEBRUARY 21, 1991 CONSENT CALENDAR, QUESTIONS AND ANSWERS.
 ENGROSSING REPORT.

FEBRUARY 23, 1991 THIRD READING, PASSED.
 AYES, 96; NOES, 3.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 25, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON JUDICIARY.

 FIRST READING.

MARCH 20, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

MARCH 23, 1991 SECOND READING, CONCURRED IN.

MARCH 25, 1991 THIRD READING, CONCURRED IN.
 AYES, 47; NOES, 0.

 RETURNED TO HOUSE.

IN THE HOUSE

MARCH 25, 1991 RECEIVED FROM SENATE.

 SENT TO ENROLLING.

MARCH 28, 1991 REPORTED CORRECTLY ENROLLED.

APRIL 1, 1991

SIGNED BY PRESIDENT.

SIGNED BY SPEAKER.

DELIVERED TO GOVERNOR.

APRIL 2, 1991

RETURNED FROM GOVERNOR WITH
RECOMMENDED AMENDMENTS.

APRIL 8, 1991

SECOND READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

APRIL 9, 1991

THIRD READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

IN THE SENATE

APRIL 17, 1991

SECOND READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

APRIL 18, 1991

THIRD READING, GOVERNOR'S
AMENDMENTS CONCURRED IN.

IN THE HOUSE

APRIL 19, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE

BILL NO. 864

1 INTRODUCED BY _____

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

5 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE STATE
6 DISTRICT COURT FUNDING ADMINISTRATION FROM THE DEPARTMENT OF
7 COMMERCE TO THE STATE TO BE ADMINISTERED BY THE SUPREME
8 COURT ADMINISTRATOR; AND AMENDING SECTIONS 3-1-702, 3-5-604,
9 3-5-901, 3-5-902, 3-5-903, 7-6-2352, 46-8-201, 46-15-104,
10 AND 46-18-235, MCA."

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

13 Section 1. Section 3-1-702, MCA, is amended to read:

14 "3-1-702. Duties. The court administrator is the
15 administrative officer of the court. Under the direction of
16 the supreme court, the court administrator shall:

17 (1) prepare and present judicial budget requests to the
18 legislature;

19 (2) collect, compile, and report statistical and other
20 data relating to the business transacted by the courts and
21 provide such information to the legislature upon request;

22 (3) recommend to the supreme court improvements in the
23 judiciary; and

24 (4) administer state funding for district courts as
25 provided in chapter 5, part 9; and.

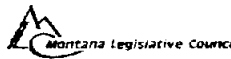
1 {4}(5) perform such other duties as the supreme court
2 may assign."

3 Section 2. Section 3-5-604, MCA, is amended to read:

4 "3-5-604. Transcript of proceedings. (1) Each reporter
5 must furnish, upon request, with all reasonable diligence,
6 to a party or his attorney in a case in which he has
7 attended the trial or hearing a transcript from his
8 stenographic notes of the testimony and proceedings of the
9 trial or hearing or a part thereof, upon payment by the
10 person requiring the same of \$2 per page for the original
11 transcript, 50 cents per page for the first copy, 25 cents
12 per page for each additional copy.

13 (2) If the county attorney, attorney general, or judge
14 requires a transcript in a criminal case, the reporter is
15 entitled to his fees therefor, but he must furnish it. Upon
16 furnishing it, he shall receive a certificate for the sum to
17 which he is entitled. The reporter shall submit the
18 certificate to the ~~department--of--commerce--which~~ supreme
19 court administrator who, in accordance with 3-5-902, is
20 responsible for the prompt payment of all or a portion of
21 the amount due the reporter. If the department state, in
22 accordance with 3-5-902, pays none or only a portion of the
23 amount due, the county shall pay the balance upon receipt of
24 a statement from the reporter.

25 (3) If the judge requires a copy in a civil case to



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1 assist him in rendering a decision, the reporter must
 2 furnish the same without charge therefor. In civil cases,
 3 all transcripts required by the county shall be furnished,
 4 and only the reporter's actual costs of preparation may be
 5 paid by the county.

6 (4) If it appears to the judge that a defendant in a
 7 criminal case is unable to pay for a transcript, it shall be
 8 furnished to him and paid for by the state in the manner
 9 provided in subsection (2) to the extent funds are
 10 available. The county shall pay the remainder as required in
 11 3-5-901."

12 **Section 3.** Section 3-5-901, MCA, is amended to read:

13 "3-5-901. State assumption of certain district court
 14 expenses. (1) ~~Effective July 17, 1985, the~~ The state shall,
 15 to the extent that money is appropriated, fund the following
 16 district court expenses in criminal cases only:

- 17 (a) salaries of court reporters;
- 18 (b) transcripts of proceedings;
- 19 (c) witness fees and necessary expenses;
- 20 (d) juror fees;
- 21 (e) indigent defense; and
- 22 (f) psychiatric examinations.

23 (2) The ~~department---of---commerce~~ supreme court
 24 administrator, in consultation with the district judges for
 25 each judicial district, shall include within the

1 ~~department's~~ supreme court's biennial budget request to the
 2 legislature a request for funding the expenses listed in
 3 subsection (1).

4 (3) (a) If money appropriated for the expenses listed
 5 in subsection (1):

6 (i) exceeds the amount necessary to fully fund those
 7 expenses, the excess amount must be used for district court
 8 grants as provided in 7-6-2352; or

9 (ii) is insufficient to fully fund those expenses, the
 10 county is responsible for payment of the balance.

11 (b) If no money is appropriated, the county is
 12 responsible for payment of all expenses."

13 **Section 4.** Section 3-5-902, MCA, is amended to read:

14 "3-5-902. Fiscal administration for payment of court
 15 expenses. The ~~department---of---commerce~~ supreme court
 16 administrator shall:

17 (1) establish procedures for disbursement of funds for
 18 payment of district court expenses listed in 3-5-901,
 19 including prorating of those funds if they are insufficient
 20 to cover all expenses listed in 3-5-901;

21 (2) ~~develop~~ require the use of a uniform accounting
 22 system ~~for--use~~ by the counties in reporting court expenses
 23 at a detailed level for budgeting and auditing purposes; and

24 (3) ~~provide-for~~ require annual auditing of district
 25 court expenses to assure normal operations and consistency

1 in reporting of expenditures."

2 **Section 5.** Section 3-5-903, MCA, is amended to read:

3 "3-5-903. Reimbursement for juror and witness fees.
 4 According to procedures established required by the
 5 department-of-commerce supreme court administrator under
 6 3-5-902(1), each clerk of district court shall submit to the
 7 department administrator a detailed statement containing a
 8 list of witnesses and jurors for criminal cases only and the
 9 amount of per diem and mileage paid to each by the county.
 10 Upon receipt and verification of the statement, the
 11 department administrator shall promptly reimburse the
 12 designated county for the cost of witness and juror fees on
 13 a full or prorated basis in accordance with 3-5-902. The
 14 county shall deposit the amount reimbursed in its general
 15 fund unless the county has a district court fund. If the
 16 county has a district court fund, the amount reimbursed must
 17 be deposited in such fund."

18 **Section 6.** Section 7-6-2352, MCA, is amended to read:

19 "7-6-2352. State grants to district courts -- rules.

20 (1) The department-of-commerce state shall make grants, to
 21 the extent funds are available after expenses provided for
 22 in 3-5-901 are funded, to the governing body of a county for
 23 the district courts for assistance, as provided in this
 24 section.

25 (2) The governing body of a county may apply to the

1 department-of-commerce supreme court administrator for a
 2 grant by filing a written request on forms provided by the
 3 department administrator by July 20 for the previous fiscal
 4 year unless the department administrator grants a time
 5 extension upon request of the county. In its request for a
 6 grant, a county must certify that:

7 (a) all expenditures from the district court fund have
 8 been lawfully made;

9 (b) no transfers from the district court fund have been
 10 or will be made to any other fund; and

11 (c) no expenditures have been made from the district
 12 court fund that are not specifically authorized by 7-6-2511
 13 and 7-6-2351.

14 (3) To the extent funds are available, the department
 15 of-commerce state shall award a grant if the county's
 16 district court expenditures for the previous fiscal year
 17 exceeded the sum of:

18 (a) the product of the maximum mill levy authorized by
 19 law for district court purposes, whether or not assessed,
 20 multiplied by the previous year's taxable valuation of the
 21 county; and

22 (b) all revenues, except district court grants,
 23 required by law to be deposited in the district court fund
 24 for the previous fiscal year.

25 (4) Eligible court expenditures for grant purposes

1 include all costs of the county associated with the
2 operation and maintenance of the district court, from
3 whatever fund paid, except costs for building and capital
4 items and library maintenance, replacement, and acquisition.

5 (5) The ~~department---of---commerce~~ supreme court
6 administrator shall notify each eligible county as soon as
7 possible of ~~its~~ the state's intention to award a grant to
8 that county and the amount of the award.

9 (6) The grant received by the county shall be placed in
10 the district court fund.

11 (7) After all grants are awarded, the ~~department-of~~
12 ~~commerce~~ supreme court administrator shall provide for the
13 audit of each approved grant request. The ~~department-shall~~
14 ~~charge-each~~ county receiving a grant shall pay an audit fee
15 in the same amount as the costs incurred in conducting the
16 audit.

17 (8) If the audit of a grant recipient discloses that
18 the recipient received a grant in excess of the amount for
19 which it was eligible, the recipient shall repay the excess
20 to the ~~department-of-commerce~~ state. The ~~department~~ supreme
21 court administrator shall redistribute any repaid excess
22 amounts to the other counties that received grants from the
23 appropriation from which the overpayment was made, on the
24 same basis as the original awards. No county is eligible for
25 a district court grant if it owes the ~~department~~ state a

1 refund of a prior year's overpayment.

2 (9) The ~~department---of---commerce~~ supreme court
3 administrator, in consultation with the supreme court, shall
4 prescribe rules and forms necessary to effectively
5 administer this section. The department administrator may
6 require a county to provide any information considered
7 necessary for the administration of the program."

8 **Section 7.** Section 46-8-201, MCA, is amended to read:

9 **"46-8-201. Remuneration of appointed counsel.** (1)
10 Whenever in a criminal proceeding an attorney represents or
11 defends any person by order of the court on the ground that
12 the person is financially unable to employ counsel, the
13 attorney shall be paid for his services such sum as a
14 district court or justice of the state supreme court
15 certifies to be a reasonable compensation therefor and shall
16 be reimbursed for reasonable costs incurred in the criminal
17 proceeding.

18 (2) The expense of implementing subsection (1) is
19 chargeable as provided in 3-5-901 to the county in which the
20 proceeding arose, the ~~department-of-commerce~~ state, or both,
21 except that:

22 (a) in proceedings solely involving the violation of a
23 city ordinance or state statute prosecuted in a municipal or
24 city court, the expense is chargeable to the city or town in
25 which the proceeding arose; and

1 (b) when there has been an arrest by agents of the
2 department of fish, wildlife, and parks or agents of the
3 department of justice and the charge is prosecuted by
4 personnel of the state agency that made the charge, the
5 expense must be borne by the prosecuting state agency."

6 **Section 8.** Section 46-15-104, MCA, is amended to read:

7 "46-15-104. **Expenses of witness.** (1) When a person
8 attends before a magistrate, grand jury, or court as a
9 witness in a criminal case upon a subpoena or in pursuance
10 of an undertaking, the judge, at his discretion, by a
11 written order may direct the clerk of the court to draw his
12 warrant upon the county treasurer in favor of such witness
13 for a reasonable sum, to be specified in the order, for the
14 necessary expenses of the witness.

15 (2) According to procedures established required by the
16 department-of-commerce supreme court administrator under
17 3-5-902(1), the clerk of district court shall submit to the
18 department administrator a detailed statement containing a
19 list of witnesses and the amount of expenses paid to each by
20 the county. Upon receipt and verification of the statement,
21 the department administrator shall promptly reimburse the
22 designated county for all or a portion of the cost of
23 witness expenses. The county shall deposit the amount
24 reimbursed in its general fund unless the county has a
25 district court fund. If the county has a district court

1 fund, the amount reimbursed must be deposited in such fund."

2 **Section 9.** Section 46-18-235, MCA, is amended to read:

3 "46-18-235. **Disposition of money collected as fines and**
4 **costs.** The money collected by a court, except money
5 collected by a justice's court, as a result of the
6 imposition of fines or assessment of costs under the
7 provisions of 46-18-231 and 46-18-232 shall be paid to the
8 county general fund of the county in which the court is
9 held, except that:

10 (1) if the costs assessed include any district court
11 expense listed in 3-5-901, the money collected from
12 assessment of these costs must be paid to the ~~department--of~~
13 commerce state for deposit into the state general fund to
14 the extent the expenses were paid by the state;

15 (2) if the fine was imposed for a violation of Title
16 45, chapter 9, the court may order the money paid into the
17 drug forfeiture account maintained under 44-12-206 for the
18 law enforcement agency which made the arrest from which the
19 conviction and fine arose; and

20 (3) if the fine was imposed for a violation of
21 45-5-206, 50% of the amount collected, except for fines
22 collected by a justice court and distributed pursuant to
23 3-10-601, must be deposited in the state special revenue
24 fund for use of the department of family services in the
25 battered spouses and domestic violence grant program created

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1 by 40-2-401."

-End-

HOUSE
[Signature]

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE STATE
6 DISTRICT COURT FUNDING ADMINISTRATION FROM THE DEPARTMENT OF
7 COMMERCE TO THE STATE TO BE ADMINISTERED BY THE SUPREME
8 COURT ADMINISTRATOR; AND AMENDING SECTIONS 3-1-702, 3-5-604,
9 3-5-901, 3-5-902, 3-5-903, 7-6-2352, 46-8-201, 46-15-104,
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13 **Section 1.** Section 3-1-702, MCA, is amended to read:

14 "3-1-702. Duties. The court administrator is the
15 administrative officer of the court. Under the direction of
16 the supreme court, the court administrator shall:

- 17 (1) prepare and present judicial budget requests to the
18 legislature;
- 19 (2) collect, compile, and report statistical and other
20 data relating to the business transacted by the courts and
21 provide such information to the legislature upon request;
- 22 (3) recommend to the supreme court improvements in the
23 judiciary; and
- 24 (4) administer state funding for district courts as
25 provided in chapter 5, part 9; and.

1 (4)(5) perform such other duties as the supreme court
2 may assign."

3 **Section 2.** Section 3-5-604, MCA, is amended to read:

4 "3-5-604. Transcript of proceedings. (1) Each reporter
5 must furnish, upon request, with all reasonable diligence,
6 to a party or his attorney in a case in which he has
7 attended the trial or hearing a transcript from his
8 stenographic notes of the testimony and proceedings of the
9 trial or hearing or a part thereof, upon payment by the
10 person requiring the same of \$2 per page for the original
11 transcript, 50 cents per page for the first copy, 25 cents
12 per page for each additional copy.

13 (2) If the county attorney, attorney general, or judge
14 requires a transcript in a criminal case, the reporter is
15 entitled to his fees therefor, but he must furnish it. Upon
16 furnishing it, he shall receive a certificate for the sum to
17 which he is entitled. The reporter shall submit the
18 certificate to the ~~department--of--commerce--which~~ supreme
19 court administrator who, in accordance with 3-5-902, is
20 responsible for the prompt payment of all or a portion of
21 the amount due the reporter. If the department state, in
22 accordance with 3-5-902, pays none or only a portion of the
23 amount due, the county shall pay the balance upon receipt of
24 a statement from the reporter.

25 (3) If the judge requires a copy in a civil case to



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1 assist him in rendering a decision, the reporter must
2 furnish the same without charge therefor. In civil cases,
3 all transcripts required by the county shall be furnished,
4 and only the reporter's actual costs of preparation may be
5 paid by the county.

6 (4) If it appears to the judge that a defendant in a
7 criminal case is unable to pay for a transcript, it shall be
8 furnished to him and paid for by the state in the manner
9 provided in subsection (2) to the extent funds are
10 available. The county shall pay the remainder as required in
11 3-5-901."

12 **Section 3.** Section 3-5-901, MCA, is amended to read:

13 "3-5-901. State assumption of certain district court
14 expenses. (1) ~~Effective July 17, 1985, the~~ The state shall,
15 to the extent that money is appropriated, fund the following
16 district court expenses in criminal cases only:

- 17 (a) salaries of court reporters;
- 18 (b) transcripts of proceedings;
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- 20 (d) juror fees;
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- 22 (f) psychiatric examinations.

23 (2) The ~~department---of---commerce~~ supreme court
24 administrator, in consultation with the district judges for
25 each judicial district, shall include within the

1 ~~department's~~ supreme court's biennial budget request to the
2 legislature a request for funding the expenses listed in
3 subsection (1).

4 (3) (a) If money appropriated for the expenses listed
5 in subsection (1):

6 (i) exceeds the amount necessary to fully fund those
7 expenses, the excess amount must be used for district court
8 grants as provided in 7-6-2352; or

9 (ii) is insufficient to fully fund those expenses, the
10 county is responsible for payment of the balance.

11 (b) If no money is appropriated, the county is
12 responsible for payment of all expenses."

13 **Section 4.** Section 3-5-902, MCA, is amended to read:

14 "3-5-902. Fiscal administration for payment of court
15 expenses. The ~~department---of---commerce~~ supreme court
16 administrator shall:

17 (1) establish procedures for disbursement of funds for
18 payment of district court expenses listed in 3-5-901,
19 including prorating of those funds if they are insufficient
20 to cover all expenses listed in 3-5-901;

21 (2) ~~develop~~ require the use of a uniform accounting
22 system ~~for--use~~ by the counties in reporting court expenses
23 at a detailed level for budgeting and auditing purposes; and

24 (3) ~~provide-for~~ require annual auditing of district
25 court expenses to assure normal operations and consistency

1 in reporting of expenditures."

2 **Section 5.** Section 3-5-903, MCA, is amended to read:

3 "3-5-903. Reimbursement for juror and witness fees.

4 According to procedures established required by the
5 department-of-commerce supreme court administrator under
6 3-5-902(1), each clerk of district court shall submit to the
7 department administrator a detailed statement containing a
8 list of witnesses and jurors for criminal cases only and the
9 amount of per diem and mileage paid to each by the county.

10 Upon receipt and verification of the statement, the
11 department administrator shall promptly reimburse the
12 designated county for the cost of witness and juror fees on
13 a full or prorated basis in accordance with 3-5-902. The
14 county shall deposit the amount reimbursed in its general
15 fund unless the county has a district court fund. If the
16 county has a district court fund, the amount reimbursed must
17 be deposited in such fund."

18 **Section 6.** Section 7-6-2352, MCA, is amended to read:

19 "7-6-2352. State grants to district courts -- rules.

20 (1) The department-of-commerce state shall make grants, to
21 the extent funds are available after expenses provided for
22 in 3-5-901 are funded, to the governing body of a county for
23 the district courts for assistance, as provided in this
24 section.

25 (2) The governing body of a county may apply to the

1 department-of-commerce supreme court administrator for a
2 grant by filing a written request on forms provided by the
3 department administrator by July 20 for the previous fiscal
4 year unless the department administrator grants a time
5 extension upon request of the county. In its request for a
6 grant, a county must certify that:

7 (a) all expenditures from the district court fund have
8 been lawfully made;

9 (b) no transfers from the district court fund have been
10 or will be made to any other fund; and

11 (c) no expenditures have been made from the district
12 court fund that are not specifically authorized by 7-6-2511
13 and 7-6-2351.

14 (3) To the extent funds are available, the department
15 of--commerce state shall award a grant if the county's
16 district court expenditures for the previous fiscal year
17 exceeded the sum of:

18 (a) the product of the maximum mill levy authorized by
19 law for district court purposes, whether or not assessed,
20 multiplied by the previous year's taxable valuation of the
21 county; and

22 (b) all revenues, except district court grants,
23 required by law to be deposited in the district court fund
24 for the previous fiscal year.

25 (4) Eligible court expenditures for grant purposes

1 include all costs of the county associated with the
2 operation and maintenance of the district court, from
3 whatever fund paid, except costs for building and capital
4 items and library maintenance, replacement, and acquisition.

5 (5) The department-of-commerce supreme court
6 administrator shall notify each eligible county as soon as
7 possible of ~~its~~ the state's intention to award a grant to
8 that county and the amount of the award.

9 (6) The grant received by the county shall be placed in
10 the district court fund.

11 (7) After all grants are awarded, the department-of
12 commerce supreme court administrator shall provide for the
13 audit of each approved grant request. The department-shall
14 charge-each county receiving a grant shall pay an audit fee
15 in the same amount as the costs incurred in conducting the
16 audit.

17 (8) If the audit of a grant recipient discloses that
18 the recipient received a grant in excess of the amount for
19 which it was eligible, the recipient shall repay the excess
20 to the department-of-commerce state. The department supreme
21 court administrator shall redistribute any repaid excess
22 amounts to the other counties that received grants from the
23 appropriation from which the overpayment was made, on the
24 same basis as the original awards. No county is eligible for
25 a district court grant if it owes the department state a

1 refund of a prior year's overpayment.

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3 administrator, in consultation with the supreme court, shall
4 prescribe rules and forms necessary to effectively
5 administer this section. The department administrator may
6 require a county to provide any information considered
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9 **"46-8-201. Remuneration of appointed counsel.** (1)
10 Whenever in a criminal proceeding an attorney represents or
11 defends any person by order of the court on the ground that
12 the person is financially unable to employ counsel, the
13 attorney shall be paid for his services such sum as a
14 district court or justice of the state supreme court
15 certifies to be a reasonable compensation therefor and shall
16 be reimbursed for reasonable costs incurred in the criminal
17 proceeding.

18 (2) The expense of implementing subsection (1) is
19 chargeable as provided in 3-5-901 to the county in which the
20 proceeding arose, the department-of-commerce state, or both,
21 except that:

22 (a) in proceedings solely involving the violation of a
23 city ordinance or state statute prosecuted in a municipal or
24 city court, the expense is chargeable to the city or town in
25 which the proceeding arose; and

1 (b) when there has been an arrest by agents of the
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3 department of justice and the charge is prosecuted by
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5 expense must be borne by the prosecuting state agency."

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8 attends before a magistrate, grand jury, or court as a
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10 of an undertaking, the judge, at his discretion, by a
11 written order may direct the clerk of the court to draw his
12 warrant upon the county treasurer in favor of such witness
13 for a reasonable sum, to be specified in the order, for the
14 necessary expenses of the witness.

15 (2) According to procedures established required by the
16 department-of-commerce supreme court administrator under
17 3-5-902(1), the clerk of district court shall submit to the
18 department administrator a detailed statement containing a
19 list of witnesses and the amount of expenses paid to each by
20 the county. Upon receipt and verification of the statement,
21 the department administrator shall promptly reimburse the
22 designated county for all or a portion of the cost of
23 witness expenses. The county shall deposit the amount
24 reimbursed in its general fund unless the county has a
25 district court fund. If the county has a district court

1 fund, the amount reimbursed must be deposited in such fund."

2 **Section 9.** Section 46-18-235, MCA, is amended to read:

3 "46-18-235. Disposition of money collected as fines and
4 costs. The money collected by a court, except money
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6 imposition of fines or assessment of costs under the
7 provisions of 46-18-231 and 46-18-232 shall be paid to the
8 county general fund of the county in which the court is
9 held, except that:

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11 expense listed in 3-5-901, the money collected from
12 assessment of these costs must be paid to the department--of
13 commerce state for deposit into the state general fund to
14 the extent the expenses were paid by the state;

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16 45, chapter 9, the court may order the money paid into the
17 drug forfeiture account maintained under 44-12-206 for the
18 law enforcement agency which made the arrest from which the
19 conviction and fine arose; and

20 (3) if the fine was imposed for a violation of
21 45-5-206, 50% of the amount collected, except for fines
22 collected by a justice court and distributed pursuant to
23 3-10-601, must be deposited in the state special revenue
24 fund for use of the department of family services in the
25 battered spouses and domestic violence grant program created

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17 (1) prepare and present judicial budget requests to the
18 legislature;

19 (2) collect, compile, and report statistical and other
20 data relating to the business transacted by the courts and
21 provide such information to the legislature upon request;

22 (3) recommend to the supreme court improvements in the
23 judiciary; and

24 (4) administer state funding for district courts as
25 provided in chapter 5, part 9; and

1 ~~††~~(5) perform such other duties as the supreme court
2 may assign."

3 **Section 2.** Section 3-5-604, MCA, is amended to read:

4 "3-5-604. Transcript of proceedings. (1) Each reporter
5 must furnish, upon request, with all reasonable diligence,
6 to a party or his attorney in a case in which he has
7 attended the trial or hearing a transcript from his
8 stenographic notes of the testimony and proceedings of the
9 trial or hearing or a part thereof, upon payment by the
10 person requiring the same of \$2 per page for the original
11 transcript, 50 cents per page for the first copy, 25 cents
12 per page for each additional copy.

13 (2) If the county attorney, attorney general, or judge
14 requires a transcript in a criminal case, the reporter is
15 entitled to his fees therefor, but he must furnish it. Upon
16 furnishing it, he shall receive a certificate for the sum to
17 which he is entitled. The reporter shall submit the
18 certificate to the ~~department--of--commerce--which~~ supreme
19 court administrator who, in accordance with 3-5-902, is
20 responsible for the prompt payment of all or a portion of
21 the amount due the reporter. If the ~~department state~~, in
22 accordance with 3-5-902, pays none or only a portion of the
23 amount due, the county shall pay the balance upon receipt of
24 a statement from the reporter.

25 (3) If the judge requires a copy in a civil case to

1 assist him in rendering a decision, the reporter must
 2 furnish the same without charge therefor. In civil cases,
 3 all transcripts required by the county shall be furnished,
 4 and only the reporter's actual costs of preparation may be
 5 paid by the county.

6 (4) If it appears to the judge that a defendant in a
 7 criminal case is unable to pay for a transcript, it shall be
 8 furnished to him and paid for by the state in the manner
 9 provided in subsection (2) to the extent funds are
 10 available. The county shall pay the remainder as required in
 11 3-5-901."

12 **Section 3.** Section 3-5-901, MCA, is amended to read:

13 "**3-5-901. State assumption of certain district court**
 14 **expenses.** (1) ~~Effective July 17, 1985, the~~ The state shall,
 15 to the extent that money is appropriated, fund the following
 16 district court expenses in criminal cases only:

- 17 (a) salaries of court reporters;
- 18 (b) transcripts of proceedings;
- 19 (c) witness fees and necessary expenses;
- 20 (d) juror fees;
- 21 (e) indigent defense; and
- 22 (f) psychiatric examinations.

23 (2) The ~~department---of---commerce~~ supreme court
 24 administrator, in consultation with the district judges for
 25 each judicial district, shall include within the

1 ~~department's~~ supreme court's biennial budget request to the
 2 legislature a request for funding the expenses listed in
 3 subsection (1).

4 (3) (a) If money appropriated for the expenses listed
 5 in subsection (1):

6 (i) exceeds the amount necessary to fully fund those
 7 expenses, the excess amount must be used for district court
 8 grants as provided in 7-6-2352; or

9 (ii) is insufficient to fully fund those expenses, the
 10 county is responsible for payment of the balance.

11 (b) If no money is appropriated, the county is
 12 responsible for payment of all expenses."

13 **Section 4.** Section 3-5-902, MCA, is amended to read:

14 "**3-5-902. Fiscal administration for payment of court**
 15 **expenses.** The ~~department---of---commerce~~ supreme court
 16 administrator shall:

17 (1) establish procedures for disbursement of funds for
 18 payment of district court expenses listed in 3-5-901,
 19 including prorating of those funds if they are insufficient
 20 to cover all expenses listed in 3-5-901;

21 (2) ~~develop~~ require the use of a uniform accounting
 22 system ~~for---use~~ by the counties in reporting court expenses
 23 at a detailed level for budgeting and auditing purposes; and

24 (3) ~~provide-for~~ require annual auditing of district
 25 court expenses to assure normal operations and consistency

1 in reporting of expenditures."

2 **Section 5.** Section 3-5-903, MCA, is amended to read:

3 **"3-5-903. Reimbursement for juror and witness fees.**

4 According to procedures established required by the
5 department-of-commerce supreme court administrator under
6 3-5-902(1), each clerk of district court shall submit to the
7 department administrator a detailed statement containing a
8 list of witnesses and jurors for criminal cases only and the
9 amount of per diem and mileage paid to each by the county.
10 Upon receipt and verification of the statement, the
11 department administrator shall promptly reimburse the
12 designated county for the cost of witness and juror fees on
13 a full or prorated basis in accordance with 3-5-902. The
14 county shall deposit the amount reimbursed in its general
15 fund unless the county has a district court fund. If the
16 county has a district court fund, the amount reimbursed must
17 be deposited in such fund."

18 **Section 6.** Section 7-6-2352, MCA, is amended to read:

19 **"7-6-2352. State grants to district courts -- rules.**

20 (1) The department-of-commerce state shall make grants, to
21 the extent funds are available after expenses provided for
22 in 3-5-901 are funded, to the governing body of a county for
23 the district courts for assistance, as provided in this
24 section.

25 (2) The governing body of a county may apply to the

1 department-of-commerce supreme court administrator for a
2 grant by filing a written request on forms provided by the
3 department administrator by July 20 for the previous fiscal
4 year unless the department administrator grants a time
5 extension upon request of the county. In its request for a
6 grant, a county must certify that:

7 (a) all expenditures from the district court fund have
8 been lawfully made;

9 (b) no transfers from the district court fund have been
10 or will be made to any other fund; and

11 (c) no expenditures have been made from the district
12 court fund that are not specifically authorized by 7-6-2511
13 and 7-6-2351.

14 (3) To the extent funds are available, the department
15 of--commerce state shall award a grant if the county's
16 district court expenditures for the previous fiscal year
17 exceeded the sum of:

18 (a) the product of the maximum mill levy authorized by
19 law for district court purposes, whether or not assessed,
20 multiplied by the previous year's taxable valuation of the
21 county; and

22 (b) all revenues, except district court grants,
23 required by law to be deposited in the district court fund
24 for the previous fiscal year.

25 (4) Eligible court expenditures for grant purposes

1 include all costs of the county associated with the
2 operation and maintenance of the district court, from
3 whatever fund paid, except costs for building and capital
4 items and library maintenance, replacement, and acquisition.

5 (5) The ~~department---of---commerce~~ supreme court
6 administrator shall notify each eligible county as soon as
7 possible of its the state's intention to award a grant to
8 that county and the amount of the award.

9 (6) The grant received by the county shall be placed in
10 the district court fund.

11 (7) After all grants are awarded, the ~~department-of~~
12 commerce supreme court administrator shall provide for the
13 audit of each approved grant request. The ~~department-shall~~
14 charge-each county receiving a grant shall pay an audit fee
15 in the same amount as the costs incurred in conducting the
16 audit.

17 (8) If the audit of a grant recipient discloses that
18 the recipient received a grant in excess of the amount for
19 which it was eligible, the recipient shall repay the excess
20 to the ~~department-of-commerce~~ state. The ~~department~~ supreme
21 court administrator shall redistribute any repaid excess
22 amounts to the other counties that received grants from the
23 appropriation from which the overpayment was made, on the
24 same basis as the original awards. No county is eligible for
25 a district court grant if it owes the ~~department~~ state a

1 refund of a prior year's overpayment.

2 (9) The ~~department---of---commerce~~ supreme court
3 administrator, in consultation with the supreme court, shall
4 prescribe rules and forms necessary to effectively
5 administer this section. The ~~department~~ administrator may
6 require a county to provide any information considered
7 necessary for the administration of the program."

8 **Section 7.** Section 46-8-201, MCA, is amended to read:

9 "46-8-201. Remuneration of appointed counsel. (1)
10 Whenever in a criminal proceeding an attorney represents or
11 defends any person by order of the court on the ground that
12 the person is financially unable to employ counsel, the
13 attorney shall be paid for his services such sum as a
14 district court or justice of the state supreme court
15 certifies to be a reasonable compensation therefor and shall
16 be reimbursed for reasonable costs incurred in the criminal
17 proceeding.

18 (2) The expense of implementing subsection (1) is
19 chargeable as provided in 3-5-901 to the county in which the
20 proceeding arose, the ~~department-of-commerce~~ state, or both,
21 except that:

22 (a) in proceedings solely involving the violation of a
23 city ordinance or state statute prosecuted in a municipal or
24 city court, the expense is chargeable to the city or town in
25 which the proceeding arose; and

1 (b) when there has been an arrest by agents of the
2 department of fish, wildlife, and parks or agents of the
3 department of justice and the charge is prosecuted by
4 personnel of the state agency that made the charge, the
5 expense must be borne by the prosecuting state agency."

6 **Section 8.** Section 46-15-104, MCA, is amended to read:

7 "46-15-104. Expenses of witness. (1) When a person
8 attends before a magistrate, grand jury, or court as a
9 witness in a criminal case upon a subpoena or in pursuance
10 of an undertaking, the judge, at his discretion, by a
11 written order may direct the clerk of the court to draw his
12 warrant upon the county treasurer in favor of such witness
13 for a reasonable sum, to be specified in the order, for the
14 necessary expenses of the witness.

15 (2) According to procedures established required by the
16 department-of-commerce supreme court administrator under
17 3-5-902(1), the clerk of district court shall submit to the
18 department administrator a detailed statement containing a
19 list of witnesses and the amount of expenses paid to each by
20 the county. Upon receipt and verification of the statement,
21 the department administrator shall promptly reimburse the
22 designated county for all or a portion of the cost of
23 witness expenses. The county shall deposit the amount
24 reimbursed in its general fund unless the county has a
25 district court fund. If the county has a district court

1 fund, the amount reimbursed must be deposited in such fund."

2 **Section 9.** Section 46-18-235, MCA, is amended to read:

3 "46-18-235. Disposition of money collected as fines and
4 costs. The money collected by a court, except money
5 collected by a justice's court, as a result of the
6 imposition of fines or assessment of costs under the
7 provisions of 46-18-231 and 46-18-232 shall be paid to the
8 county general fund of the county in which the court is
9 held, except that:

10 (1) if the costs assessed include any district court
11 expense listed in 3-5-901, the money collected from
12 assessment of these costs must be paid to the ~~department--of~~
13 commerce state for deposit into the state general fund to
14 the extent the expenses were paid by the state;

15 (2) if the fine was imposed for a violation of Title
16 45, chapter 9, the court may order the money paid into the
17 drug forfeiture account maintained under 44-12-206 for the
18 law enforcement agency which made the arrest from which the
19 conviction and fine arose; and

20 (3) if the fine was imposed for a violation of
21 45-5-206, 50% of the amount collected, except for fines
22 collected by a justice court and distributed pursuant to
23 3-10-601, must be deposited in the state special revenue
24 fund for use of the department of family services in the
25 battered spouses and domestic violence grant program created

HB 0864/02

1 by 40-2-401."

-End-

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 864
(REFERENCE COPY, AS AMENDED)
APRIL 2, 1991

1. Title, line 8.
Following: "ADMINISTRATOR;"
Strike: "AND"
2. Title, line 10.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"
3. Page 11, line 1.
Following: line 1
Insert: "NEW SECTION. Section 10. [This act] is effective
July 1, 1991."

GOV. AMEND.
HB 864

1 HOUSE BILL NO. 864

2 INTRODUCED BY GOULD

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE STATE
6 DISTRICT COURT FUNDING ADMINISTRATION FROM THE DEPARTMENT OF
7 COMMERCE TO THE STATE TO BE ADMINISTERED BY THE SUPREME
8 COURT ADMINISTRATOR; AND AMENDING SECTIONS 3-1-702, 3-5-604,
9 3-5-901, 3-5-902, 3-5-903, 7-6-2352, 46-8-201, 46-15-104,
10 AND 46-18-235, MCA; AND PROVIDING AN EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **Section 1.** Section 3-1-702, MCA, is amended to read:

14 "3-1-702. Duties. The court administrator is the
15 administrative officer of the court. Under the direction of
16 the supreme court, the court administrator shall:

17 (1) prepare and present judicial budget requests to the
18 legislature;

19 (2) collect, compile, and report statistical and other
20 data relating to the business transacted by the courts and
21 provide such information to the legislature upon request;

22 (3) recommend to the supreme court improvements in the
23 judiciary; and

24 (4) administer state funding for district courts as
25 provided in chapter 5, part 9; and

1 {4}(5) perform such other duties as the supreme court
2 may assign."

3 **Section 2.** Section 3-5-604, MCA, is amended to read:

4 "3-5-604. Transcript of proceedings. (1) Each reporter
5 must furnish, upon request, with all reasonable diligence,
6 to a party or his attorney in a case in which he has
7 attended the trial or hearing a transcript from his
8 stenographic notes of the testimony and proceedings of the
9 trial or hearing or a part thereof, upon payment by the
10 person requiring the same of \$2 per page for the original
11 transcript, 50 cents per page for the first copy, 25 cents
12 per page for each additional copy.

13 (2) If the county attorney, attorney general, or judge
14 requires a transcript in a criminal case, the reporter is
15 entitled to his fees therefor, but he must furnish it. Upon
16 furnishing it, he shall receive a certificate for the sum to
17 which he is entitled. The reporter shall submit the
18 certificate to the ~~department--of--commerce--which~~ supreme
19 court administrator who, in accordance with 3-5-902, is
20 responsible for the prompt payment of all or a portion of
21 the amount due the reporter. If the department state, in
22 accordance with 3-5-902, pays none or only a portion of the
23 amount due, the county shall pay the balance upon receipt of
24 a statement from the reporter.

25 (3) If the judge requires a copy in a civil case to

1 assist him in rendering a decision, the reporter must
 2 furnish the same without charge therefor. In civil cases,
 3 all transcripts required by the county shall be furnished,
 4 and only the reporter's actual costs of preparation may be
 5 paid by the county.

6 (4) If it appears to the judge that a defendant in a
 7 criminal case is unable to pay for a transcript, it shall be
 8 furnished to him and paid for by the state in the manner
 9 provided in subsection (2) to the extent funds are
 10 available. The county shall pay the remainder as required in
 11 3-5-901."

12 **Section 3.** Section 3-5-901, MCA, is amended to read:

13 "3-5-901. State assumption of certain district court
 14 expenses. (1) ~~Effective July 17, 1985, the~~ The state shall,
 15 to the extent that money is appropriated, fund the following
 16 district court expenses in criminal cases only:

- 17 (a) salaries of court reporters;
- 18 (b) transcripts of proceedings;
- 19 (c) witness fees and necessary expenses;
- 20 (d) juror fees;
- 21 (e) indigent defense; and
- 22 (f) psychiatric examinations.

23 (2) The ~~department---of---commerce~~ supreme court
 24 administrator, in consultation with the district judges for
 25 each judicial district, shall include within the

1 ~~department's~~ supreme court's biennial budget request to the
 2 legislature a request for funding the expenses listed in
 3 subsection (1).

4 (3) (a) If money appropriated for the expenses listed
 5 in subsection (1):

6 (i) exceeds the amount necessary to fully fund those
 7 expenses, the excess amount must be used for district court
 8 grants as provided in 7-6-2352; or

9 (ii) is insufficient to fully fund those expenses, the
 10 county is responsible for payment of the balance.

11 (b) If no money is appropriated, the county is
 12 responsible for payment of all expenses."

13 **Section 4.** Section 3-5-902, MCA, is amended to read:

14 "3-5-902. Fiscal administration for payment of court
 15 expenses. The ~~department---of---commerce~~ supreme court
 16 administrator shall:

17 (1) establish procedures for disbursement of funds for
 18 payment of district court expenses listed in 3-5-901,
 19 including prorating of those funds if they are insufficient
 20 to cover all expenses listed in 3-5-901;

21 (2) ~~develop~~ require the use of a uniform accounting
 22 system ~~for--use~~ by the counties in reporting court expenses
 23 at a detailed level for budgeting and auditing purposes; and

24 (3) ~~provide-for~~ require annual auditing of district
 25 court expenses to assure normal operations and consistency

1 in reporting of expenditures."

2 **Section 5.** Section 3-5-903, MCA, is amended to read:

3 ***3-5-903. Reimbursement for juror and witness fees.**
 4 According to procedures established required by the
 5 department-of-commerce supreme court administrator under
 6 3-5-902(1), each clerk of district court shall submit to the
 7 department administrator a detailed statement containing a
 8 list of witnesses and jurors for criminal cases only and the
 9 amount of per diem and mileage paid to each by the county.
 10 Upon receipt and verification of the statement, the
 11 department administrator shall promptly reimburse the
 12 designated county for the cost of witness and juror fees on
 13 a full or prorated basis in accordance with 3-5-902. The
 14 county shall deposit the amount reimbursed in its general
 15 fund unless the county has a district court fund. If the
 16 county has a district court fund, the amount reimbursed must
 17 be deposited in such fund."

18 **Section 6.** Section 7-6-2352, MCA, is amended to read:

19 ***7-6-2352. State grants to district courts -- rules.**
 20 (1) The department-of-commerce state shall make grants, to
 21 the extent funds are available after expenses provided for
 22 in 3-5-901 are funded, to the governing body of a county for
 23 the district courts for assistance, as provided in this
 24 section.

25 (2) The governing body of a county may apply to the

1 department-of-commerce supreme court administrator for a
 2 grant by filing a written request on forms provided by the
 3 department administrator by July 20 for the previous fiscal
 4 year unless the department administrator grants a time
 5 extension upon request of the county. In its request for a
 6 grant, a county must certify that:

7 (a) all expenditures from the district court fund have
 8 been lawfully made;

9 (b) no transfers from the district court fund have been
 10 or will be made to any other fund; and

11 (c) no expenditures have been made from the district
 12 court fund that are not specifically authorized by 7-6-2511
 13 and 7-6-2351.

14 (3) To the extent funds are available, the department
 15 of-commerce state shall award a grant if the county's
 16 district court expenditures for the previous fiscal year
 17 exceeded the sum of:

18 (a) the product of the maximum mill levy authorized by
 19 law for district court purposes, whether or not assessed,
 20 multiplied by the previous year's taxable valuation of the
 21 county; and

22 (b) all revenues, except district court grants,
 23 required by law to be deposited in the district court fund
 24 for the previous fiscal year.

25 (4) Eligible court expenditures for grant purposes

1 include all costs of the county associated with the
2 operation and maintenance of the district court, from
3 whatever fund paid, except costs for building and capital
4 items and library maintenance, replacement, and acquisition.

5 (5) The ~~department-of-commerce~~ supreme court
6 administrator shall notify each eligible county as soon as
7 possible of ~~its~~ the state's intention to award a grant to
8 that county and the amount of the award.

9 (6) The grant received by the county shall be placed in
10 the district court fund.

11 (7) After all grants are awarded, the ~~department-of~~
12 commerce supreme court administrator shall provide for the
13 audit of each approved grant request. The ~~department-shall~~
14 charge-each county receiving a grant shall pay an audit fee
15 in the same amount as the costs incurred in conducting the
16 audit.

17 (8) If the audit of a grant recipient discloses that
18 the recipient received a grant in excess of the amount for
19 which it was eligible, the recipient shall repay the excess
20 to the ~~department-of-commerce~~ state. The ~~department~~ supreme
21 court administrator shall redistribute any repaid excess
22 amounts to the other counties that received grants from the
23 appropriation from which the overpayment was made, on the
24 same basis as the original awards. No county is eligible for
25 a district court grant if it owes the ~~department~~ state a

1 refund of a prior year's overpayment.

2 (9) The ~~department-of-commerce~~ supreme court
3 administrator, in consultation with the supreme court, shall
4 prescribe rules and forms necessary to effectively
5 administer this section. The ~~department~~ administrator may
6 require a county to provide any information considered
7 necessary for the administration of the program."

8 **Section 7.** Section 46-8-201, MCA, is amended to read:

9 **"46-8-201. Remuneration of appointed counsel.** (1)
10 Whenever in a criminal proceeding an attorney represents or
11 defends any person by order of the court on the ground that
12 the person is financially unable to employ counsel, the
13 attorney shall be paid for his services such sum as a
14 district court or justice of the state supreme court
15 certifies to be a reasonable compensation therefor and shall
16 be reimbursed for reasonable costs incurred in the criminal
17 proceeding.

18 (2) The expense of implementing subsection (1) is
19 chargeable as provided in 3-5-901 to the county in which the
20 proceeding arose, the ~~department-of-commerce~~ state, or both,
21 except that:

22 (a) in proceedings solely involving the violation of a
23 city ordinance or state statute prosecuted in a municipal or
24 city court, the expense is chargeable to the city or town in
25 which the proceeding arose; and

1 (b) when there has been an arrest by agents of the
2 department of fish, wildlife, and parks or agents of the
3 department of justice and the charge is prosecuted by
4 personnel of the state agency that made the charge, the
5 expense must be borne by the prosecuting state agency."

6 **Section 8.** Section 46-15-104, MCA, is amended to read:

7 "46-15-104. **Expenses of witness.** (1) When a person
8 attends before a magistrate, grand jury, or court as a
9 witness in a criminal case upon a subpoena or in pursuance
10 of an undertaking, the judge, at his discretion, by a
11 written order may direct the clerk of the court to draw his
12 warrant upon the county treasurer in favor of such witness
13 for a reasonable sum, to be specified in the order, for the
14 necessary expenses of the witness.

15 (2) According to procedures established required by the
16 department-of-commerce supreme court administrator under
17 3-5-902(1), the clerk of district court shall submit to the
18 department administrator a detailed statement containing a
19 list of witnesses and the amount of expenses paid to each by
20 the county. Upon receipt and verification of the statement,
21 the department administrator shall promptly reimburse the
22 designated county for all or a portion of the cost of
23 witness expenses. The county shall deposit the amount
24 reimbursed in its general fund unless the county has a
25 district court fund. If the county has a district court

1 fund, the amount reimbursed must be deposited in such fund."

2 **Section 9.** Section 46-18-235, MCA, is amended to read:

3 "46-18-235. **Disposition of money collected as fines and**
4 **costs.** The money collected by a court, except money
5 collected by a justice's court, as a result of the
6 imposition of fines or assessment of costs under the
7 provisions of 46-18-231 and 46-18-232 shall be paid to the
8 county general fund of the county in which the court is
9 held, except that:

10 (1) if the costs assessed include any district court
11 expense listed in 3-5-901, the money collected from
12 assessment of these costs must be paid to the ~~department--of~~
13 ~~commerce~~ state for deposit into the state general fund to
14 the extent the expenses were paid by the state;

15 (2) if the fine was imposed for a violation of Title
16 45, chapter 9, the court may order the money paid into the
17 drug forfeiture account maintained under 44-12-206 for the
18 law enforcement agency which made the arrest from which the
19 conviction and fine arose; and

20 (3) if the fine was imposed for a violation of
21 45-5-206, 50% of the amount collected, except for fines
22 collected by a justice court and distributed pursuant to
23 3-10-601, must be deposited in the state special revenue
24 fund for use of the department of family services in the
25 battered spouses and domestic violence grant program created

HB 0864/03

1 by 40-2-401."

2 NEW SECTION. SECTION 10. EFFECTIVE DATE. [THIS ACT] IS

3 EFFECTIVE JULY 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0864, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


An act transferring the District Court Reimbursement Program Administration from the Department of Commerce to the Supreme Court Administrator.


ASSUMPTIONS:

1. The administration of the District Court Reimbursement Program would be moved in total from the Department of Commerce to the Supreme Court Administrator. The current program would not be divided. No current FTE or appropriation authority would need to remain in the Department of Commerce.
2. Administrative overhead charges currently collected by the Department of Commerce will be the same at the Supreme Court. Since the program is being physically transferred between state-owned buildings, rent and other fixed cost expenses should remain the same.

FISCAL IMPACT:

None

 2-20-91
ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 2-22-91
R. BUDD GOULD, PRIMARY SPONSOR DATE
Fiscal Note for HB0864, as introduced HB 864