

SENATE BILL 23

Introduced by Williams

12/27	Introduced
12/28	Referred to State Administration
1/07	First Reading
1/09	Hearing
1/09	Tabled in Committee

SENATE BILL NO. 23
INTRODUCED BY WILLIAMS

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF ADMINISTRATION TO DISTRIBUTE FUNDS FROM THE 9-1-1 ACCOUNT TO A CITY OR COUNTY PROVIDING ACCOUNTING SERVICES FOR OTHER CITIES AND COUNTIES WITHIN A 9-1-1 JURISDICTION; AND AMENDING SECTIONS 10-4-302 AND 10-4-303, MCA."

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

Section 1. Section 10-4-302, MCA, is amended to read:

"10-4-302. Distribution of account by department. (1) The department shall make quarterly distributions of the entire account beginning on April 1, 1987. The distributions must be made for the following:

(a) administrative costs incurred during the preceding calendar quarter by the department of revenue in carrying out this chapter. The amount paid may not exceed 1% of the account on the date of distribution or actual expenses incurred, whichever is less.

(b) administrative costs incurred during the preceding calendar quarter by the department in carrying out its duties under this chapter. The amount paid to the department may not exceed 7% of the account on the date of distribution or actual expenses incurred, whichever is less.

(c) costs incurred during the preceding calendar quarter by each provider of telephone service in the state for:

(i) collection of the fee imposed by 10-4-201;

(ii) modification of central office switching and trunking equipment for emergency telephone service only; and

(iii) conversion of pay station telephones required by 10-4-121.

(2) Payments under subsection (1)(c) may be made only after application by the provider to the department for costs incurred in subsection (1)(c). The department shall review all applications relevant to subsection (1)(c) for appropriateness of costs claimed by the provider. If the provider contests the review, payment may not be made until the amount owed the provider is made certain.

(3) After all amounts under subsections (1) and (2) have been paid, the balance of the account must be distributed to cities within a 9-1-1 jurisdiction that have an approved final plan and to counties within a 9-1-1 jurisdiction that have an approved final plan on a per capita basis. However, each county must receive a minimum of 1% of the balance of the counties' share of the account. Cities and counties shall distribute amounts received to 9-1-1 jurisdictions within their jurisdiction. A 9-1-1 jurisdiction whose 9-1-1 service area includes more than one

1 city or county is eligible to receive operating funds from
2 each city or county involved.

3 (4) If a 9-1-1 jurisdiction includes more than one city
4 or county or portions thereof and the governing body of one
5 of the participating cities or counties provides the
6 accounting services for the 9-1-1 jurisdiction, the
7 department shall distribute the money for participating
8 cities and counties through the governing body providing the
9 accounting services.

10 ~~(4)~~(5) If the department through its monitoring process
11 determines that a 9-1-1 jurisdiction is not adhering to an
12 approved plan or is not using funds in the manner prescribed
13 in 10-4-303, the department may, after notice and hearing,
14 suspend payment to the 9-1-1 jurisdiction. The jurisdiction
15 is not eligible to receive funds until ~~such-time-as~~ the
16 department determines that the jurisdiction is complying
17 with the approved plan and fund usage limitations."

18 **Section 2.** Section 10-4-303, MCA, is amended to read:

19 "10-4-303. **Limitation on use of funds.** Money received
20 under subsection subsections (3) and (4) of 10-4-302 may be
21 used only to pay for installing, operating, and improving an
22 emergency telephone system using 9-1-1. Money not necessary
23 for immediate use may be invested by the city or county. The
24 income from the investments ~~shall~~ must be used only for the
25 purposes described in this section."

-End-