SENATE BILL NO. 334

INTRODUCED BY HARDING, VAUGHN, T. BECK, HARP

IN THE SENATE

FEBRUARY 8, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FEBRUARY 9, 1991 FIRST READING.

FEBRUARY 22, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

PRINTING REPORT.

- FEBRUARY 23, 1991
- FEBRUARY 25, 1991

ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 49; NOES, 0.

SECOND READING, DO PASS.

TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 4, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FIRST READING.

MARCH 14, 1991 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

MARCH 15, 1991 CONSENT CALENDAR, QUESTIONS AND ANSWERS.

MARCH 16, 1991 THIRD READING, CONCURRED IN. AYES, 96; NOES, 1.

RETURNED TO SENATE.

IN THE SENATE

MARCH 18, 1991

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 1774/01

Senate BILL NO. 334 tonding Caugher Buch 1 INTRODUCED BY-2 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PERSONAL 5 LIABILITY COUNTY OFFICIALS WHO OF EXCEED BUDGET APPROPRIATIONS: APPLYING THE FORFEIT PROVISION TO DEPARTMENT б 7 OFFICIALS; PROVIDING THAT A COUNTY OFFICIAL MAY NOT EXCEED A 8 DEPARTMENT'S TOTAL BUDGET APPROPRIATION: AND AMENDING 9 SECTION 7-6-2323, MCA."

10

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

12 Section 1. Section 7-6-2323, MCA, is amended to read: 13 "7-6-2323. Effect of exceeding budget appropriations --14 personal liability. (1) Expenditures made, liabilities 15 incurred, or warrants issued in excess of any--of--the 16 detailed a department's total budget appropriations 17 appropriation, as originally determined or as thereafter 18 later revised by transfer as provided in this part, shall 19 are not be a liability of the county, but the official 20 making authorizing or incurring such the expenditure or 21 issuing-such-warrant-shall-be is liable therefor for it 22 personally and upon his official bond.

(2) (a) The board of county commissioners shall may not
approve any claim and the county clerk and recorder shall
may not issue any a warrant for any expenditure in excess of



said-detailed a department's total budget appropriations 1 appropriation, as finally adopted or as revised under the 2 3 provisions of this part, except upon an order of a court of A competent jurisdiction or for an emergency as hereinafter 5 provided in this part. Any---county---commissioner---or 6 commissioners--or--county--clerk--and--recorder A department 7 official approving any claim or--issuing--any--warrant in 8 excess of any-such a budget appropriation, except as above 9 provided in this section, shall forfeit to the county the 10 amount of such the claim or-warrant.

11 (b) The amount forfeited under subsection (2)(a) shall 12 must be recovered in an action against such---county 13 commissioner--or--commissioners-or-county-clerk-and-recorder 14 or-att-of-them the responsible official and their--severat sureties the surety on their his official bonds bond. It 15 16 shall-be is the duty of the county attorney of such the 17 county to bring an action therefor for recovery in the name 18 of the county."

-End-

-2- INTRODUCED BILL SB 334

APPROVED BY COMM. ON LOCAL GOVERNMENT

Engte BILL NO. 334 1 2 INTRODUCED BY-3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PERSONAL 5 LIABILITY OF COUNTY OFFICIALS WHO EXCEED BUDGET 6 APPROPRIATIONS: APPLYING THE FORFEIT PROVISION TO DEPARTMENT 7 OFFICIALS; PROVIDING THAT A COUNTY OFFICIAL MAY NOT EXCEED A 8 DEPARTMENT'S TOTAL BUDGET APPROPRIATION: AND AMENDING 9 SECTION 7-6-2323, MCA."

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23 (2) (a) The board of county commissioners shall may not approve any claim and the county clerk and recorder shalt 24 25 may not issue any a warrant for any expenditure in excess of



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-End-

-2-

SECOND READING

LC 1774/01

INTRODUCED BY Handing Caugh But 1 2 3

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-End-

-2-

THIRD READING

SB 334

SB 0334/02

SB 0334/02

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2	INTRODUCED BY HARDING, VAUGHN, T. BECK, HARP
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PERSONAL
5	LIABILITY OF COUNTY OFFICIALS WHO EXCEED BUDGET
6	APPROPRIATIONS; APPLYING THE FORFEIT PROVISION TO DEPARTMENT
7	OFFICIALS; PROVIDING THAT A COUNTY OFFICIAL MAY NOT EXCEED A
8	DEPARTMENT'S TOTAL BUDGET APPROPRIATION; AND AMENDING
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-End-

-2-

SB 334 REFERENCE BILL