	C
1	INTRODUCED BY Flynn Jury
2	INTRODUCED BY Flynn Turnege
3	$\mathcal{C}$
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5	40-4913, R.C.M. 1947, RELATING TO EXPENSES OF BENEVOLENT
6	ASSOCIATIONS.*
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Section 40-4913, R.C.M. 1947, is amended to
10	read as follows:
11	*40-4913. Expensesassessment for expensesshown in
12	annual statement. (1) The total expenses of any benevolent
13	association during any calendar year shall notexceedthe
14	larger-of-the-following:
15	(a)Tenpersent(10%)-of-the-total-amount-reseived
16	during-such-yeary-whether-as-assessmentsy-duesy-donations-or
17	by-whatever-namecalledyexceptfeescollectedfornew
18	memberships;-or
19	(b)Fifteendellars(\$15)perdeathloss-incurred
20	during-such-year.
21	(2)-Such-an-association-may,-instead-ofprovidingfor
22	expensesasinsubsection(1)abovey-assess-each-of-its
23	members-for-expensesatanamountnottoexceedthree
24	dollars(63)-per-salendar-year,-except-that-such-assessment
25	shallnotexceedfourdollars{\$4}peryearwherea

membership—certificate—includes—within—its—protection—a
family—group—consisting—of—two——(2)——or—more—persons——The
proceeds—of—such—assessments—shail—be—placed—in—an—expense
fund—out—of—which—ail—of—the—expenses—of—the—association—for
such—year—shall—be—paid——The—association—shall—show—the
condition—of—such—expense—fund—in—its—annual—statement—

(3)—The—association—shall—state—in—its—annual—statement
whether—the—expenses—as—to—be—shown—in—its—next—annual
statement—will—be—determined—as—in—subsection—(1)—above—or
whether—the—members—will—be—assessed—for—the—same—as—in
subsection—(2)—above—No—association—shall—use—both—methods—
nor—a—combination—of—such—methods—be in a reasonable amount
and shall be expended only for the actual and necessary
business of the association. Expenses shall be itemized and
accounted for in the annual statement of the association."

-End-

44th Legislature

Without recommendation by Committee on <u>Bisiness and Industry</u>

1	SENATE BILL NO. 98
2	INTRODUCED BY FLYNN, TURNAGE
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5	40-4913, R.C.M. 1947, RELATING TO EXPENSES OF BENEVOLENT
6	ASSOCIATIONS."
7	
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13	association during any calendar year shall notexceedthe
L4	larger-of-the-following:
15	(a)Fenpercent(10%)-of-the-total-amount-received
.6	during-such-year;-whether-as-assessments;-dues;-donations-or
١7	by-whatever-namecalled,exceptfeescollectedfornew
L 8	memberships;-or
L9	(b)Fifteendollars(\$15)perdeathloss-incurred
20	during-such-year-
21	(2)-Such-an-association-may,-instead-ofprovidingfor
22	expensesasinsubsection(1)abovey-assess-each-of-its
23	members-for-expensesatanamountnottoexceedthree
24	dollars(63)-per-calendar-year,-except-that-such-assessment
25	<pre>shallnotexceedfox*dollersf64}pervearwherea</pre>

L	membershipcertificateincludeswithinitsprotection-a
2	family-group-consisting-of-two(2)ormorepersonsThe
3	proceedsofsuch-assessments-shall-be-placed-in-an-expense
4	fund-out-of-which-all-of-the-expenses-of-the-association-for
5	such-year-shall-be-paidTheassociationshallshowthe
5	condition-of-such-expense-fund-in-its-annual-statement.
7	(3)-The-association-shell-state-in-its-annual-statement
В	whethertheexpensesastobcshown-in-its-next-annual
•	statement-will-be-determined-as-in-subsection-(1)-above;or
ס	whetherthememberswillbeassessed-for-the-same-as-in
L	subsection-{2}-aboveNo-association-shall-use-both-methods,
2	ner-a-combination-of-such-methods. be-in-a-reasonable-amount
3	and-shall-be-expended-onlyfortheactualandnecessary
4	business-of-the-associationExpenses-shall-be-itemized-and
5	accounted for in the-annual-statement-of-the-association-
6	NOT EXCEED THE LARGER OF THE FOLLOWING:
7	(A) TEN-PER-CENT-(10%) TWENTY PERCENT (20%) OF THE
8	TOTAL AMOUNT RECEIVED DURING SUCH YEAR, WHETHER AS
9	ASSESSMENTS, DUES, DONATIONS OR BY WHATEVER NAME CALLED,
9	EXCEPT FEES COLLECTED FOR NEW MEMBERSHIPS; OR
L	(B) FIFTEEN DOLLARS (\$15) PER DEATH LOSS INCURRED
2	DURING SUCH YEAR.
3	(2) SUCH AN ASSOCIATION MAY, INSTEAD OF PROVIDING FOR
1 2	EXPENSES AS IN SUBSECTION (1) ABOVE, ASSESS EACH OF ITS
5	MEMBERS FOR EXPENSES AT AN AMOUNT NOT TO EXCEED THREE

1	DOLLARS (\$3) PER CALENDAR YEAR, EXCEPT THAT SUCH ASSESSMENT
2	SHALL NOT EXCEED FOUR DOLLARS (\$4) PER YEAR WHERE
3	MEMBERSHIP CERTIFICATE INCLUDES WITHIN ITS PROTECTION
4	FAMILY GROUP CONSISTING OF TWO (2) OR MORE PERSONS. TH
5	PROCEEDS OF SUCH ASSESSMENTS SHALL BE PLACED IN AN EXPENSE
б	FUND OUT OF WHICH ALL OF THE EXPENSES OF THE ASSOCIATION FO
7	SUCH YEAR SHALL BE PAID. THE ASSOCIATION SHALL SHOW TH
8	CONDITION OF SUCH EXPENSE FUND IN ITS ANNUAL STATEMENT.
9	(3) THE ASSOCIATION SHALL STATE IN ITS ANNUAL
10	STATEMENT WHETHER THE EXPENSES AS TO BE SHOWN IN ITS NEXT
11	ANNUAL STATEMENT WILL BE DETERMINED AS IN SUBSECTION (1)
12	ABOVE, OR WHETHER THE MEMBERS WILL BE ASSESSED FOR THE SAMI
13	AS IN SUBSECTION (2) ABOVE. NO ASSOCIATION SHALL USE BOTH
14	METHODS, NOR A COMBINATION OF SUCH METHODS."

-End-

-3- SB 98

1	SENATE BILL NO. 98
2	INTRODUCED BY FLYNN, TURNAGE
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5	40-4913, R.C.M. 1947, RELATING TO EXPENSES OF BENEVOLENT
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13	association during any calendar year shall netexceedthe
L4	larger-of-the-following:
L5	(a)Tenpercent(19%)-of-the-total-amount-received
16	during-such-year,-whether-as-assessments,-dues,-donations-or
17	by-whatever-namecalledyexceptfeescollectedfornew
1.8	memberships;-er
19	(b)Fifteendollars(615)perdeathloss-incurred
20	during-such-year-
21	(2)-Such-an-association-may;-instead-ofprovidingfor
22	expensesasinsubsection{1}above;-assess-each-of-its
23	members-for-expensesatanamountnottoexceedthree
2 <b>4</b>	dollars(63)-per-calendar-year,-except-that-such-assessment
25	shall

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2	family-group-consisting-of-two{2}ormorepersonsThe
3	proceedsefsuch-assessments-shall-be-placed-in-an-expense
4	fund-out-of-which-all-of-the-expenses-of-the-association-for
5	such-year-shall-be-paid The association shall show the
6	condition-of-such-expense-fund-in-its-annual-statement;
7	(3)-The-association-shall-state-in-its-annual-statement
8	whether-the-expenses-as-to-be-shown-in-its-next-annual
9 -	statement-will-be-determined-as-in-subsection-(1)-above,or
10	whetherthememberswillbeassessed-for-the-same-as-in
11	subsection-{2}-abover-No-association-shall-use-both-methods;
12	ner-a-combination-of-such-methods: be-in-a-reasonable-amount
13	and-shall-be-expended-onlyfortheactualandnecessary
14	business-of-the-association:Expenses-shall-be-itemized-and
15	accountedforinthe-annual-statement-of-the-association-
16	NOT EXCEED THE LARGER OF THE FOLLOWING:
17	(A) TEN-PER-CENT-(10%) TWENTY PERCENT (20%) OF THE
18	TOTAL AMOUNT RECEIVED DURING SUCH YEAR, WHETHER AS
19	ASSESSMENTS, DUES, DONATIONS OR BY WHATEVER NAME CALLED,
20	EXCEPT FEES COLLECTED FOR NEW MEMBERSHIPS; OR
21	(B) FIFTEEN DOLLARS (\$15) PER DEATH LOSS INCURRED
22	DURING SUCH YEAR.
23	(2) SUCH AN ASSOCIATION MAY, INSTEAD OF PROVIDING FOR
24	EXPENSES AS IN SUBSECTION (1) ABOVE, ASSESS EACH OF ITS

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MEMBERS FOR EXPENSES AT AN AMOUNT NOT TO EXCEED THREE

25

- DOLLARS (\$3) PER CALENDAR YEAR, EXCEPT THAT SUCH ASSESSMENT

  SHALL NOT EXCEED FOUR DOLLARS (\$4) PER YEAR WHERE A
- 3 MEMBERSHIP CERTIFICATE INCLUDES WITHIN ITS PROTECTION A
- 4 FAMILY GROUP CONSISTING OF TWO (2) OR MORE PERSONS. THE
- 5 PROCEEDS OF SUCH ASSESSMENTS SHALL BE PLACED IN AN EXPENSE
- FUND OUT OF WHICH ALL OF THE EXPENSES OF THE ASSOCIATION FOR
- 7 SUCH YEAR SHALL BE PAID. THE ASSOCIATION SHALL SHOW THE
- 8 CONDITION OF SUCH EXPENSE FUND IN ITS ANNUAL STATEMENT.
- 9 (3) THE ASSOCIATION SHALL STATE IN ITS ANNUAL
- 10 STATEMENT WHETHER THE EXPENSES AS TO BE SHOWN IN ITS NEXT
- 11 ANNUAL STATEMENT WILL BE DETERMINED AS IN SUBSECTION (1)
- 12 ABOVE, OR WHETHER THE MEMBERS WILL BE ASSESSED FOR THE SAME
- 13 AS IN SUBSECTION (2) ABOVE. NO ASSOCIATION SHALL USE BOTH
- 14 METHODS, NOR A COMBINATION OF SUCH METHODS."

-End-

98

98

sb

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2	INTFODUCED BY FLYNN, TUPNAGE
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5	suchyearshallbepaid:The-association-shall-show-the
6	condition-of-such-expense-fund-in-its-annual-statement-
7	(3)-The-association-shall-state-in-its-annual-statement
8	whether-the-expenses-as-tobeshowninitsnextannual
9	statementwill-be-determined-as-in-subsection-{1}-above;-or
10	whether-the-members-will-be-assessed-forthesameasin
11	subsection-{2}-above:-No-association-shall-use-both-methods;
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23	(2) SUCH AN ASSOCIATION MAY, INSTEAD OF PROVIDING FOR
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-2-

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	·- · ·- ·- ·- ·- · · · · ·

-End-

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14

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