

House Bill 43

In The House

January 6, 1981	Introduced and referred to Committee on Taxation.
	On motion by Chief Sponser Representative Anderson was added as an author to the pre-filed bill.
January 7, 1981	Fiscal note requested.
January 12, 1981	Fiscal note returned.
February 6, 1981	Committee recommend bill do pass.
February 7, 1981	Bill printed and placed on members' desks.
February 9, 1981	Second reading pass consideration until 35th Legislative day.
February 13, 1981	Second reading pass consideration until 40th Legislative day.
February 19, 1981	Second reading pass consideration until 41st Legislative day.
February 20, 1981	Second reading pass consideration until 48th Legislative day.
March 4, 1981	Second reading pass consideration until 55th Legislative day.
March 12, 1981	Second reading do not pass.

1                    HOUSE BILL NO. 43  
2 INTRODUCTION BY MOORE  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A 20% SURTAX  
5 ON ALL PROPERTY INCLUDED IN SECTIONS 15-6-133 AND 15-6-134,  
6 MCA, OWNED BY A FOREIGN PERSON; AND PROVIDING AN EFFECTIVE  
7 DATE."  
8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10        Section 1. Definitions. As used in [this act] the  
11 following definitions apply:  
12        (1) "Foreign person" means:  
13        (a) an individual who:  
14        (i) is not a citizen or national of the United States;  
15        (ii) is not a citizen of the Northern Mariana Islands or  
16 the Trust Territory of the Pacific Islands; or  
17        (iii) is not lawfully admitted to the United States for  
18 permanent residence or paroled into the United States under  
19 the Immigration and Nationality Act;  
20        (b) a person, other than an individual or a government,  
21 which is created or organized under the laws of a foreign  
22 government or which has its principal place of business  
23 located outside of all the states;  
24        (c) a foreign government.  
25        (2) "Taxing units" is as defined in 15-1-101(2).

1        Section 2. Tax on property owned by foreign persons.  
2 Property included in 15-6-133 and 15-6-134 in which a  
3 foreign person holds an interest, other than a security  
4 interest, is subject to a tax equal to 20% of the dollar  
5 amount of the total mill levy on the property.  
6        Section 3. Apportionment of tax. Revenue collected  
7 pursuant to the tax imposed by [section 2] shall be  
8 apportioned to the taxing units in the same ratio the  
9 individual taxing unit's levy bears to the total mill levy  
10 against the property.  
11        Section 4. Effective date. This act is effective on  
12 passage and approval and is applicable to tax years  
13 beginning after December 31, 1990.

-End-

Approved by Committee  
on Taxation

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2    INTRODUCED BY MOORE

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-End-

SECOND READING

HB 43

STATE OF MONTANA

REQUEST NO. 41-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 7, 19 81, there is hereby submitted a Fiscal Note for House Bill 43 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION

An act creating a 20% surtax on all property owned by a foreign person; and providing an effective date.

ASSUMPTIONS

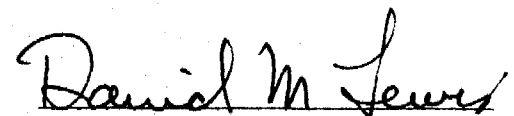
1. The 1980 tax base - Assessed value - \$15,111,278,289; Taxable value - \$1,843,611,479.
2. There is no reliable information on how much of the tax base is foreign-owned.
3. The proposed legislation would be effective in both fiscal years 1982 and 1983.

FISCAL IMPACT

No estimate of the fiscal impact can be made but it would increase revenues to the state through the university levy. Local taxing jurisdictions containing foreign-owned property would also receive additional revenues.

COMMENT

According to January 8, American Demographics, less than one percent of U.S. property is owned by non-citizens.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-10-81