

HOUSE BILL NO. 675

INTRODUCED BY HARPER

BY REQUEST OF THE STUDY COMMITTEE ON STATE MANDATES AND  
THE EFFECTS OF STATE-OWNED PROPERTY ON LOCAL GOVERNMENTS

IN THE HOUSE

February 7, 1981	Introduced and referred to Committee on Local Government.
February 13, 1981	Committee recommend bill do pass. Report adopted.
February 16, 1981	Bill printed and placed on members' desks.
February 17, 1981	Second reading, do pass.
February 18, 1981	Considered correctly engrossed.
February 19, 1981	Third reading, passed. Ayes, 77; Noes, 22. Transmitted to Senate.

IN THE SENATE

February 20, 1981	Introduced and referred to Committee on Education and Cultural Resources.
March 25, 1981	Committee recommend bill be concurrred in. Report adopted.  On motion taken from Committee on Bills and Journal and rereferred to Committee on Finance and Claims. Motion adopted.
April 7, 1981	Committee recommend bill be concurrred in. Report adopted.
April 10, 1981	Motion pass consideration.
April 11, 1981	Second reading, concurrred in.

April 11, 1981

On motion rules suspended.  
Bill placed on calendar  
for third reading this day.

Third reading, concurred in.  
Ayes, 49; Noes, 0.

IN THE HOUSE

April 13, 1981

Returned from Senate. Con-  
curred in. Sent to enrolling.

Reported correctly enrolled.

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 6    A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT CITIES AND  
 7    COUNTIES FROM CONTRIBUTING TO THE TRAFFIC EDUCATION ACCOUNT;  
 8    TO INCREASE THE AMOUNT CONTRIBUTED FROM OTHER EARMARKED  
 9    SOURCES; AMENDING SECTIONS 20-7-504 AND 20-7-505, MCA."

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

12        Section 1. Section 20-7-504, MCA, is amended to read:  
 13        "20-7-504. State traffic education account -- proceeds  
 14        earmarked for the account. (1) There is a traffic education  
 15        account in the treasury of the state of Montana. There shall  
 16        be paid into this account a portion of the fines assessed  
 17        and ~~bails-forfeited-on-all-offenses-involving-a~~ forfeitures  
 18        ~~collected in any court from persons apprehended or arrested~~  
 19        ~~by highway patrol officers or department of highways peace~~  
 20        ~~officers for any~~ violation of chapter 3, part 1 of chapter  
 21        4, or chapters 5 through 10 of Title 61 ~~or a city ordinance~~  
 22        and relating to the operation or use of motor vehicles  
 23        ~~except--offenses--relating--to--parking--of--vehicles~~ in the  
 24        following amounts:

25        (a) if a fine is imposed, ~~20%~~ 25% of the fine imposed;

1        (b) if multiple offenses are involved, ~~20%~~ 25% of the  
 2        total sum of all fines imposed;

3        (c) if a fine is suspended, in whole or in part, ~~20%~~  
 4        25% of the fine actually paid; and

5        (d) if any deposit of bail is made for an offense to  
 6        which this section applies and the bail is forfeited, ~~20%~~  
 7        25% of the forfeited bail.

8        (2) ~~Five~~ ~~thirty-five~~ percent of all money received by  
 9        the state from the collection of the motor vehicle driver's  
 10        license fee provided for under the laws of Montana shall be  
 11        contributed to the traffic education account."

12        Section 2. Section 20-7-505, MCA, is amended to read:

13        "20-7-505. Transmittal of proceeds from fines and other  
 14        sources. (1) The portion of the proceeds from fines and bail  
 15        forfeitures which are to be deposited in the traffic  
 16        education account shall be transmitted to the ~~city-or~~ county  
 17        ~~treasury--as-the-case-may-be~~ by the court collecting them,  
 18        in the manner and at the times that fines and bail  
 19        forfeitures are transmitted to ~~such-treasurers~~ ~~the county~~  
 20        ~~treasurer~~ under law. The court shall indicate what portion  
 21        of each fine is to be credited to the traffic education  
 22        account. The ~~city--and~~ county ~~treasurers~~ ~~treasurer~~ shall  
 23        transmit monthly to the state treasurer, without deduction,  
 24        the portions of the fines received which are to be credited  
 25        to the traffic education account.

LC 0098/01

1       (2) When a court is required to transmit fees, fines,  
2       and forfeitures directly to the state treasurer, the gross  
3       proceeds including the portion of the fines to be credited  
4       to the traffic education account shall be transmitted to the  
5       state treasurer and the appropriate portion shall be  
6       deposited in the traffic education account."

-End-

## STATE OF MONTANA

REQUEST NO. 428-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received March 13, 19 81, there is hereby submitted a Fiscal Note for House Bill 675 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 of Proposed Legislation:

"An act to exempt cities and counties from contributing to the traffic education account; to increase the amount contributed from other earmarked sources; amending Sections 20-7-504 and 20-7-505, MCA."

## Assumptions:

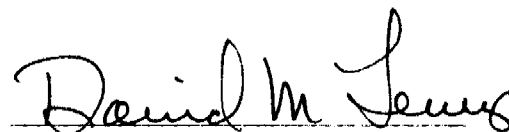
1. Total drivers license revenues will remain constant.
2. Total highway patrol fines will increase 8% per year.
3. Total county fines will increase 20% per year.
4. Total city fines will remain constant.
5. Total GVW fines will increase 20% per year.

## Revenue Impact - Traffic Education Fund:

	FY 82	FY 83
Drivers license increase	420,000	420,000
Highway patrol fines increase	108,308	116,973
County fines decrease	(219,616)	(263,539)
City fines decrease	(305,000)	(305,000)
GVW fines increase	<u>28,212</u>	<u>33,854</u>
Net Effect	31,904	2,288

## Comments:

The effects of HB 675 would result in an increase in revenue available of \$31,904 in FY 82 and \$2,288 in FY 83 only if the projected increases in collections is received. The net loss to the state general fund will be approximately \$524,616 in FY 82 and \$568,539 in FY 83 for funding which will be retained by the cities and counties.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-17-81

Approved by Comm.  
on Local Government

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18            collected in any court from persons apprehended or arrested

19            by highway patrol officers or department of highways peace

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21            4, or chapters 5 through 10 of Title 61, ~~or a city ordinance~~

22            and relating to the operation or use of motor vehicles,

23            ~~except--offenses--relating--to--parking--of--vehicles,~~ in the

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9            the state from the collection of the motor vehicle driver's

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23            transmit monthly to the state treasurer, without deduction,

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-2- SECOND READING  
HB 675

LC 0098/01

1       (2) When a court is required to transmit fees, fines,  
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