

HOUSE BILL NO. 266

INTRODUCED BY HARBIN

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 19, 1985	Introduced and referred to Committee on State Administration.
January 30, 1985	Committee recommend bill do pass. Report adopted.  Statement of Intent attached.
January 31, 1985	Bill printed and placed on members' desks.
February 2, 1985	Second reading, do pass.  Considered correctly engrossed.
February 4, 1985	Third reading, passed. Ayes, 88; Noes, 11.  Transmitted to Senate.

IN THE SENATE

February 7, 1985	Introduced and referred to Committee on Business and Industry.
March 7, 1985	Committee recommend bill be concurrent in. Report adopted.
March 8, 1985	Second reading, concurred in.
March 11, 1985	Third reading, concurred in. Ayes, 50; Noes, 0.  Returned to House.

IN THE HOUSE

March 12, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT PAYMENT  
 7 OF TAXES DUE THE STATE BE DONE BY ELECTRONIC FUNDS TRANSFER  
 8 WHENEVER THE AMOUNT DUE IS \$500,000 OR GREATER; AND  
 9 PROVIDING AN EFFECTIVE DATE FOR RULEMAKING AUTHORITY."  
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Definitions. As used in [this act], the  
 13 following definitions apply:

14 (1) "Department" means the department of revenue  
 15 provided for in 2-15-1301.

16 (2) "Electronic funds transfer" means any transfer of  
 17 funds, other than a transaction originated by check, draft,  
 18 or similar paper instrument, which is initiated through an  
 19 electronic terminal, telephonic instrument, or computer or  
 20 magnetic tape so as to order, instruct, or authorize a  
 21 financial institution to debit or credit an account.

22 (3) "Taxes" means the taxes provided for in this  
 23 title.

24 Section 2. Taxes to be paid by electronic funds  
 25 transfer -- limitation. All taxes due the state must be paid

1 by electronic funds transfer whenever the amount due is  
 2 \$500,000 or greater. Whenever the payment of taxes is  
 3 required to be made by electronic funds transfer under this  
 4 section and the due date falls on a Saturday, Sunday, or  
 5 legal holiday, the payment may be made on the first business  
 6 day thereafter.

7 Section 3. Rules. The department shall adopt rules  
 8 necessary to implement [sections 1 through 3], including but  
 9 not limited to rules:

10 (1) coordinating the filing of tax returns with the  
 11 payment of taxes by electronic funds transfer; and

12 (2) specifying the form and content of electronic  
 13 funds transfer messages in order to ensure the proper  
 14 receipt and crediting of the tax payment.

15 Section 4. Codification instruction. Sections 1  
 16 through 3 are intended to be codified as an integral part of  
 17 Title 15.

18 Section 5. Effective date. Section 3 and this section  
 19 are effective July 1, 1985.

-End-



INTRODUCED BILL  
 HB 266

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 STATEMENT OF INTENT

2 HOUSE BILL 266

3 House State Administration Committee

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5 A statement of intent is required for this bill because  
6 it grants rulemaking authority to the department of revenue.  
7 This bill is intended to authorize the department of revenue  
8 to adopt rules necessary to implement the payment of taxes  
9 by electronic funds transfer. This would include rules  
10 coordinating the filing of tax returns with the payment of  
11 taxes by electronic funds transfer, rules specifying the  
12 form and content of the electronic funds transfer message in  
13 order to ensure the proper receipt and crediting of the tax  
14 payment, and other necessary rules. This is not intended to  
15 authorize the department to raise the \$500,000 limitation,  
16 to select which taxes under Title 15 will be subject to the  
17 requirement, or to otherwise differentiate between  
18 taxpayers.

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SECOND READING

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