

HOUSE BILL NO. 364

1/22 Introduced
1/22 Referred to Taxation
Died in Committee

1 HOUSE BILL NO. 364
2 INTRODUCED BY Mills

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE
5 ALLOCATION TO THE STATE SCHOOL EQUALIZATION FUND FROM THE
6 COLLECTION OF INCOME TAXES AND CORPORATE LICENSE TAXES;
7 AMENDING SECTIONS 15-1-501 AND 20-9-343, MCA; AND PROVIDING
8 AN EFFECTIVE DATE."

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

11 Section 1. Section 15-1-501, MCA, is amended to read:

12 "15-1-501. (Effective July 1, 1985--Applicable to tax
13 years beginning after December 31, 1984) Disposition of
14 moneys from certain designated license and other taxes. (1)
15 The state treasurer shall deposit to the credit of the state
16 general fund all moneys received by him from the collection
17 of:

18 (a) automobile driver's license fees under subsections
19 (1) through (6) of 61-5-111;

20 (b) electrical energy producer's license taxes under
21 chapter 51;

22 (c) severance taxes allocated to the general fund
23 under chapter 36;

24 (d) liquor license taxes under Title 16;

25 (e) telephone [company] license taxes under chapter

1 53; and
2 (f) inheritance and estate taxes under Title 72,
3 chapter 16.

4 (2) ~~Seventy-five~~ Fifty percent of all moneys received
5 from the collection of income taxes under chapter 30 and
6 corporation license and income taxes under chapter 31,
7 except as provided in 15-31-702, shall be deposited in the
8 general fund subject to the prior pledge and appropriation
9 of such income tax and corporation license tax collections
10 for the payment of long-range building program bonds. The
11 remaining ~~25%~~ 50% of the proceeds of the corporation license
12 tax, excluding that allocated to the counties under
13 15-31-702, corporation income tax, and income tax shall be
14 deposited to the credit of the state special revenue fund
15 for state equalization aid to the public schools of Montana.

16 (3) The state treasurer shall also deposit to the
17 credit of the state general fund all moneys received by him
18 from the collection of license taxes, fees, and all net
19 revenues and receipts from all other sources under the
20 operation of the Montana Alcoholic Beverage Code.

21 (4) Thirty-three and one-third percent of the total
22 collections of the oil severance tax under chapter 36 shall
23 be deposited into the local government block grant account
24 within the state special revenue fund. After the
25 distribution provided for in 15-36-112, the remainder of the

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1 oil severance tax collections shall be deposited in the
2 general fund."

3 Section 2. Section 20-9-343, MCA, is amended to read:

4 "20-9-343. Definition of and revenue for state
5 equalization aid. (1) As used in this title, the term "state
6 equalization aid" means those moneys deposited in the state
7 special revenue fund as required in this section plus any
8 legislative appropriation of moneys from other sources for
9 distribution to the public schools for the purpose of
10 equalization of the foundation program.

11 (2) The legislative appropriation for state
12 equalization aid shall be made in a single sum for the
13 biennium. The superintendent of public instruction has
14 authority to spend such appropriation, together with the
15 earmarked revenues provided in subsection (3), as required
16 for foundation program purposes throughout the biennium.

17 (3) The following shall be paid into the state special
18 revenue fund for state equalization aid to public schools of
19 the state:

20 (a) 25% 50% of all moneys received from the collection
21 of income taxes under chapter 30 of Title 15;

22 (b) 25% 50% of all moneys, except as provided in
23 15-31-702, received from the collection of corporation
24 license taxes under chapter 31 of Title 15, as provided by
25 15-1-501;

1 (c) 10% of the moneys received from the collection of
2 the severance tax on coal under chapter 35 of Title 15;

3 (d) 62 1/2% of the moneys received from the treasurer
4 of the United States as the state's shares of oil, gas, and
5 other mineral royalties under the federal Mineral Lands
6 Leasing Act, as amended;

7 (e) interest and income moneys described in 20-9-341
8 and 20-9-342;

9 (f) income from the local impact and education trust
10 fund account; and

11 (g) in addition to these revenues, the surplus
12 revenues collected by the counties for foundation program
13 support according to 20-9-331 and 20-9-333 shall be paid
14 into the same state special revenue fund.

15 (4) Any surplus revenue in the state equalization aid
16 account in the second year of a biennium may be used to
17 reduce the appropriation required for the next succeeding
18 biennium [or may be transferred to the state permissive
19 account if revenues in that fund are insufficient to meet
20 the state's permissive amount obligation]."

21 NEW SECTION. Section 3. Effective date. This act is
22 effective July 1, 1985.

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