

HOUSE BILL NO. 540

1/29 Introduced
1/29 Referred to Human Services & Aging
1/30 Fiscal Note Requested
2/05 Fiscal Note Received
2/15 Hearing
2/21 Committee Report-No Recommendation
2/23 2nd Reading Pass As Amended
2/26 3rd Reading Pass

Transmitted to Senate

3/04 Referred to Public Health, Welfare & Safety
3/11 Hearing
3/13 Tabled in Committee

HOUSE BILL NO. 540

1 INTRODUCED BY *Alvin, Linda DeLuca, Simon, Harold*
 2 *Ellen, Hayes, Irene, Kuntze, NATHAN E. Smith*
 3 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING AND *trust*
 4 FUNDING A CHILD ABUSE PREVENTION PROGRAM." *Markus, One, Brown*
 5 *Hirsch, Mequet, Falovid, KRUEGER, Abrams*

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

7 Section 1. Children's trust fund account. (1) There is
 8 a children's trust fund account in the fiduciary fund
 9 category in the state treasury. The money in the account is
 10 allocated to the Montana children's trust fund board
 11 provided for in [section 2] for funding services and
 12 activities under the child abuse and neglect prevention
 13 program provided for in [section 3].

14 (2) The state treasurer shall, quarterly, pay the
 15 money in the children's trust fund account to the Montana
 16 children's trust fund board.

17 Section 2. Montana children's trust fund board. (1)
 18 There is a Montana children's trust fund board consisting of
 19 seven members appointed by the governor and serving 3-year
 20 terms. Two board members must be chosen from state
 21 government agencies involved in the education of or social
 22 work with children. The governor shall ensure geographic
 23 distribution of appointees.

24 (2) The board is allocated to the department of social
 25

1 and rehabilitation services for administrative purposes only
 2 as provided in 2-15-121.

3 Section 3. Child abuse and neglect prevention program.
 4 (1) The Montana children's trust fund board provided for in
 5 [section 2] shall make grants from the money in the
 6 children's trust fund account established by [section 1] to
 7 fund services and activities operated by locally controlled
 8 private or governmental agencies or persons attempting to
 9 prevent child abuse and neglect. The services and activities
 10 funded may include but are not limited to programs relating
 11 to:

- 12 (a) preventing child abuse and neglect;
- 13 (b) preventing out-of-home placement of abused and
 14 neglected children when possible;
- 15 (c) providing in-home services to families;
- 16 (d) providing services to abused and neglected
 17 children and their families;
- 18 (e) building and strengthening self-help groups that
 19 address child abuse and neglect issues; and
- 20 (f) training that will enhance the capabilities of
 21 agencies, families, and communities in the prevention and
 22 treatment of child abuse and neglect.

23 (2) Child abuse and neglect prevention grants are to
 24 be awarded on the basis of the following factors:

- 25 (a) demonstrated need;



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1 (b) project merit;
 2 (c) community support;
 3 (d) administrative design;
 4 (e) efficiency of administration; and
 5 (f) any other factors considered appropriate by the
 6 board.

7 (3) In administering the child abuse and neglect
 8 prevention program, the Montana children's trust fund board
 9 shall:

10 (a) within 1 year after funds for the program become
 11 available, develop priorities for funded services and
 12 activities;

13 (b) monitor the expenditure of funds that it
 14 allocates; and

15 (c) evaluate the effectiveness of services and
 16 activities funded under this section.

17 Section 4. Voluntary income tax checkoff for Montana
 18 children's trust fund program -- other taxpayer
 19 contributions. (1) (a) Each individual taxpayer who is
 20 required to file an income tax return under this chapter and
 21 who is entitled to a refund may contribute to the Montana
 22 children's trust fund program by marking the appropriate box
 23 on the state income tax return.

24 (b) A person filing a return may also, whether or not
 25 a refund is due, enclose a check or other order to pay money

1 as a contribution to the Montana children's trust fund
 2 program.

3 (2) (a) Each Montana state individual income tax
 4 return form must contain a provision for indicating a
 5 contribution to the Montana children's trust fund program in
 6 substantially the following form:

7 Montana children's trust fund program. Check the
 8 appropriate blank if you wish to designate \$2..., \$5...,
 9 \$10..., or more ... (indicate amount) of your tax refund to
 10 the Montana children's trust fund program. On a joint
 11 return, check the appropriate blank if your spouse wishes to
 12 contribute \$2..., \$5..., \$10..., or more ... (indicate
 13 amount) of the refund for the same purpose.

14 (b) The form must also contain a provision stating the
 15 substance of subsection (1)(b).

16 (3) Money received under this section must be
 17 deposited in the children's trust fund account created by
 18 [section 1] after the department of revenue has deducted the
 19 amount necessary for the department to administer this
 20 section.

21 Section 5. Codification instruction. (1) Section 2 is
 22 intended to be codified as an integral part of Title 2,
 23 chapter 15, and the provisions of Title 2, chapter 15, apply
 24 to section 2.

25 (2) Section 4 is intended to be codified as an

LC 0189/01

1 integral part of Title 15, chapter 30, and the provisions of
2 Title 15, chapter 30, apply to section 4.

-End-

In compliance with a written request received January 31 19 85, there is hereby submitted a Fiscal Note for H.B. 540 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:

House Bill 540 establishes a Children's Trust Fund Account for a child abuse and neglect prevention program and funds it with a voluntary income tax check off.

ASSUMPTIONS:

Department of Revenue:

1. Each year 5400 filers will contribute an average of \$6.50 for a contribution total of \$35,100 per year.
2. The first deposit of contributions to the Children's Trust Fund will occur in January 1986 following the processing of all tax returns.
3. Costs incurred by the Department of Revenue are deducted from collections.

Department of SRS:

1. As the bill does not address expenditures for administrative expenses, it is assumed they will be picked up by the General Fund.
2. Board travel estimates are for 5 non-state government appointees to attend semi-annual (2) 2 day meetings.
3. \$1,500 will be needed for general operating expenses such as printing, postage, communications and supplies.
4. Because collections won't be available until January 1986, the Board will not need to meet until FY87.
5. All trust account funds, after the deduction of the Department of Revenue administrative expenses, will be available for grants.

FISCAL IMPACT:

EFFECT ON REVENUE	FY86			FY87		
	Under Current Law	Under Proposed Law	Difference	Under Current Law	Under Proposed Law	Difference
Children's Trust Fund Acct.	\$ 0	\$35,100	\$35,100	\$ 0	\$35,100	\$35,100
Totals	\$ 0	\$35,100	\$35,100	\$ 0	\$35,100	\$35,100

David L. Hunter
 BUDGET DIRECTOR
 Office of Budget and Program Planning

Date: Feb 5, 1985

Expenditures:

	<u>FY86</u>			<u>FY87</u>		
	<u>Under</u>	<u>Under</u>	<u>Difference</u>	<u>Under</u>	<u>Under</u>	<u>Difference</u>
	<u>Current Law</u>	<u>Proposed Law</u>		<u>Current Law</u>	<u>Proposed Law</u>	
Department of Revenue:						
Personal Services	\$ 0	\$ 7,200	\$ 7,200	\$ 0	\$ 7,200	\$ 7,200
Operating Expenses	0	12,720	12,720	0	8,220	8,220
Capital Outlay	0	1,085	1,085	0	0	0
Totals	\$ 0	\$21,005	\$21,005	\$ 0	\$15,420	\$15,420
Department of SRS:						
Travel for the Board	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,600	\$ 1,600
Operating	0	0	0	0	1,500	1,500
*Available for Grants	0	0	0	0	14,095	14,095
Total	\$ 0	\$ 0	\$ 0	\$ 0	\$17,195	\$17,195
Funding:						
General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,100	\$ 3,100
Children's Trust	0	21,005	21,005	0	29,515	29,515
Total	\$ 0	\$21,005	\$21,005	\$ 0	\$32,615	\$32,615

* \$19,680 will be available for grants in FY88.

COMM. ON
HUMAN SERVICES AND AGING
WITHOUT RECOMMENDATION

HOUSE BILL NO. 540

INTRODUCED BY

Arthur Winkler DeLuca *Simon Harris*
Ellen Hayes *Drew Switzer* *NATHAN E. Smith*
Markus One Brown
Herschel Margaret Falovich *KRUEGER* *Albama*

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING AND FUNDING A CHILD ABUSE PREVENTION PROGRAM."

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

Section 1. Children's trust fund account. (1) There is a children's trust fund account in the fiduciary fund category in the state treasury. The money in the account is allocated to the Montana children's trust fund board provided for in [section 2] for funding services and activities under the child abuse and neglect prevention program provided for in [section 3].

(2) The state treasurer shall, quarterly, pay the money in the children's trust fund account to the Montana children's trust fund board.

Section 2. Montana children's trust fund board. (1) There is a Montana children's trust fund board consisting of seven members appointed by the governor and serving 3-year terms. Two board members must be chosen from state government agencies involved in the education of or social work with children. The governor shall ensure geographic distribution of appointees.

(2) The board is allocated to the department of social

and rehabilitation services for administrative purposes only as provided in 2-15-121.

Section 3. Child abuse and neglect prevention program.

(1) The Montana children's trust fund board provided for in [section 2] shall make grants from the money in the children's trust fund account established by [section 1] to fund services and activities operated by locally controlled private or governmental agencies or persons attempting to prevent child abuse and neglect. The services and activities funded may include but are not limited to programs relating to:

- (a) preventing child abuse and neglect;
- (b) preventing out-of-home placement of abused and neglected children when possible;
- (c) providing in-home services to families;
- (d) providing services to abused and neglected children and their families;
- (e) building and strengthening self-help groups that address child abuse and neglect issues; and
- (f) training that will enhance the capabilities of agencies, families, and communities in the prevention and treatment of child abuse and neglect.

(2) Child abuse and neglect prevention grants are to be awarded on the basis of the following factors:

- (a) demonstrated need;

1 (b) project merit;
 2 (c) community support;
 3 (d) administrative design;
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 5 (f) any other factors considered appropriate by the
 6 board.

7 (3) In administering the child abuse and neglect
 8 prevention program, the Montana children's trust fund board
 9 shall:

10 (a) within 1 year after funds for the program become
 11 available, develop priorities for funded services and
 12 activities;

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 14 allocates; and

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 16 activities funded under this section.

17 Section 4. Voluntary income tax checkoff for Montana
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 23 chapter 15, and the provisions of Title 2, chapter 15, apply
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- 1 integral part of Title 15, chapter 30, and the provisions of
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-End-

1 HOUSE BILL NO. 540

2 INTRODUCED BY DEVLIN, WINSLOW, SCHULTZ, SIMON, HANNAH,

3 ELLISON, KEYSER, IVERSON, SWITZER, NATHE, E. SMITH,

4 TVEIT, MARKS, D. BROWN, HIRSCH, MAZUREK,

5 PAVLOVICH, KRUEGER, ABRAMS

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20 deposited in the children's trust fund account created by
21 [section 1] after the department of revenue has deducted the
22 amount necessary for the department to administer this
23 section.

24 SECTION 5. GIFTS AND GRANTS TO PROGRAM. THE MONTANA
25 CHILDREN'S TRUST FUND BOARD MAY ACCEPT FEDERAL AND OTHER

1 CONTRIBUTIONS, GIFTS, AND GRANTS, IN MONEY OR OTHERWISE, TO
2 THE CHILD ABUSE AND NEGLECT PREVENTION PROGRAM AND MAY USE
3 FUNDS IN THE ACCOUNT ESTABLISHED BY [SECTION 1] TO MATCH
4 CONTRIBUTIONS, GIFTS, AND GRANTS. MONETARY CONTRIBUTIONS,
5 GIFTS, AND GRANTS MUST, UPON RECEIPT, BE PAID INTO THE
6 ACCOUNT ESTABLISHED BY [SECTION 1].

7 Section 6. Codification instruction. (1) Section 2 is
8 intended to be codified as an integral part of Title 2,
9 chapter 15, and the provisions of Title 2, chapter 15, apply
10 to section 2.

11 (2) Section 4 is intended to be codified as an
12 integral part of Title 15, chapter 30, and the provisions of
13 Title 15, chapter 30, apply to section 4.

-End-