

SENATE BILL NO. 282

INTRODUCED BY BECK

IN THE SENATE

FEBRUARY 4, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
FEBRUARY 11, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 12, 1987	PRINTING REPORT.
FEBRUARY 14, 1987	SECOND READING, DO PASS.
FEBRUARY 16, 1987	ENGROSSING REPORT.
FEBRUARY 17, 1987	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
MARCH 13, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 17, 1987	SECOND READING, CONCURRED IN.
MARCH 18, 1987	THIRD READING, CONCURRED IN. AYES, 94; NOES, 0.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 19, 1987	RECEIVED FROM HOUSE. SENT TO ENROLLING.
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1 *Senate* BILL NO *282*
2 INTRODUCED BY *P. K.*
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE PERSONAL
5 LIABILITY OF COUNTY COMMISSIONERS AND COUNTY CLERKS FOR
6 CLAIMS AND WARRANTS IN EXCESS OF BUDGET APPROPRIATIONS TO
7 THE AMOUNT OF THE WARRANT; AMENDING SECTION 7-6-2323, MCA;
8 AND PROVIDING AN APPLICABILITY DATE AND AN EFFECTIVE DATE."
9

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

11 Section 1. Section 7-6-2323, MCA, is amended to read:
12 "7-6-2323. Effect of exceeding budget appropriations
13 -- personal liability. (1) Expenditures made, liabilities
14 incurred, or warrants issued in excess of any of the
15 detailed budget appropriations, as originally determined or
16 as thereafter revised by transfer as provided in this part,
17 shall not be a liability of the county, but the official
18 making or incurring such expenditure or issuing such warrant
19 shall be liable therefor personally and upon his official
20 bond.

21 (2) (a) The board of county commissioners shall not
22 approve any claim and the county clerk and recorder shall
23 not issue any warrant for any expenditure in excess of said
24 detailed budget appropriations, as finally adopted or as
25 revised under the provisions of this part, except upon an

1 order of a court of competent jurisdiction or for an
2 emergency as hereinafter provided. Any county commissioner
3 or commissioners or county clerk and recorder approving any
4 claim or issuing any warrant in excess of any such budget
5 appropriation except as above provided shall forfeit to the
6 county ~~fourfold~~ the amount of such claim or warrant.

7 (b) The amount forfeited under subsection (2)(a) shall
8 be recovered in an action against such county commissioner
9 or commissioners or county clerk and recorder or all of them
10 and their several sureties on their official bonds. It shall
11 be the duty of the county attorney of such county to bring
12 an action therefor in the name of the county."

13 NEW SECTION. Section 2. Applicability. This act
14 applies to claims approved and warrants issued on or after
15 July 1, 1987.

16 NEW SECTION. Section 3. Effective date. This act is
17 effective July 1, 1987.

-End-



APPROVED BY COMM.
ON LOCAL GOVERNMENT

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-2- THIRD READING
SB 282

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