

SENATE BILL 416

Introduced by Bruski-Maus, et al.

2/16	Introduced
2/16	Referred to Highways & Transportation
2/16	First Reading
2/18	Hearing
2/18	Fiscal Note Requested
2/20	Committee Report--Bill Passed
2/22	2nd Reading Passed
2/23	Fiscal Note Printed
2/23	3rd Reading Passed
	Transmitted to House
2/23	Fiscal Note Received (sic)
2/23	Referred to Highways & Transportation
2/23	First Reading
3/05	Hearing
3/17	Tabled in Committee
3/29	Committee Report--Bill Concurred as Amended
3/30	2nd Reading Concur Motion Failed

1 Senate BILL NO. 416  
2 INTRODUCED BY Brucki-Thane HARP  
3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION  
4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING TAX PAYMENTS  
6 TO THE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF  
7 \$200,000 OR GREATER TO BE MADE BY ELECTRONIC FUNDS TRANSFER;  
8 AMENDING SECTION 15-1-801, MCA; AND PROVIDING AN EFFECTIVE  
9 DATE."

10  
11 STATEMENT OF INTENT

12 A statement of intent is required for this bill because  
13 [section 3] gives the department of transportation  
14 rulemaking authority to implement the administration of  
15 electronic funds transfer of taxes due the department. The  
16 department should consult with the department of revenue to  
17 benefit from its experience in electronic funds transfer and  
18 to make sure that the rules do not conflict with current  
19 practices.

20  
21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

22 NEW SECTION. Section 1. Definitions. As used in  
23 [sections 1 through 3], the following definitions apply:

24 (1) "Department" means the department of transportation  
25 provided for in 2-15-2501.

1 (2) "Electronic funds transfer" means any transfer of  
2 funds, other than a transaction originated by check, draft,  
3 or similar paper instrument, that is initiated through an  
4 electronic terminal, telephonic instrument, or computer or  
5 magnetic tape so as to order, instruct, or authorize a  
6 financial institution to debit or credit an account.

7 (3) "Taxes" means the taxes provided for in this  
8 chapter.

9 NEW SECTION. Section 2. Taxes to be paid by electronic  
10 funds transfer -- limitation. All taxes due the department  
11 must be paid by electronic funds transfer whenever the  
12 amount due is \$200,000 or greater. Whenever the payment of  
13 taxes is required to be made by electronic funds transfer  
14 under this section and the due date falls on a Saturday,  
15 Sunday, or legal holiday, the payment may be made on the  
16 first business day after the due date.

17 NEW SECTION. Section 3. Rules. The department shall  
18 adopt rules necessary to implement [sections 1 and 2],  
19 including but not limited to rules:

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

22 (2) specifying the form and content of electronic funds  
23 transfer messages in order to ensure the proper receipt and  
24 crediting of the tax payment.

25 Section 4. Section 15-1-801, MCA, is amended to read:

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-2- INTRODUCED BILL

1       "15-1-801. Definitions. As used in this part, the  
2 following definitions apply:

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

5       (2) "Electronic funds transfer" means any transfer of  
6 funds, other than a transaction originated by check, draft,  
7 or similar paper instrument, which is initiated through an  
8 electronic terminal, telephonic instrument, or computer or  
9 magnetic tape so as to order, instruct, or authorize a  
10 financial institution to debit or credit an account.

11       (3) "Taxes" means the taxes provided for in this title,  
12 except the taxes in chapter 70 of this title."

13       NEW SECTION. Section 5. Codification instruction.  
14 [Sections 1 through 3] are intended to be codified as an  
15 integral part of Title 15, chapter 70, and the provisions of  
16 Title 15, chapter 70, apply to [sections 1 through 3].

17       NEW SECTION. Section 6. Effective date. [This act] is  
18 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0416, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring tax payments to the Department of Transportation in the amount of \$200,000 or greater to be made by electronic funds transfer; and providing for an effective date.

ASSUMPTIONS:

1. Interest earned on funds in the highways special revenue account accrue to the general fund.
2. Accelerated deposit of funds in the highways special revenue account would provide additional funds for investment in the short term investment pool.

FISCAL IMPACT:

The proposed legislation would reduce the loss of interest revenues earned by the general fund by eliminating the "check float", which is the time that passes between when a check is received and when it clears the issuing bank. The amount of this interest revenue cannot be quantified at this time.

David Lewis 2-23-93  
DAVID LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

Betty Bruski-Maus 2-23-93  
BETTY BRUSKI-MAUS, PRIMARY SPONSOR DATE

Fiscal Note for SB0416, as introduced

SB 416

APPROVED BY COMMITTEE  
ON HIGHWAYS & TRANSPORTATION

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25 Section 4. Section 15-1-801, MCA, is amended to read:

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SECOND READING

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18 effective July 1, 1993.

-End-



HOUSE STANDING COMMITTEE REPORT

March 29, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 416 (third reading copy -- blue) be concurred in as amended .

Signed: Robert C. Clark  
Robert C. Clark, Chair

And, that such amendments read:

Carried by: Rep. Whalen

1. Title, line 7.  
Strike: "\$200,000"  
Insert: "\$500,000"

2. Page 2, line 12.  
Strike: "\$200,000"  
Insert: "\$500,000"

-END-

Committee Vote:

HOUSE  
SB 416