House BILL NO. 605

INTRODUCED BY [illegible]

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MONEY THAT IS DEPOSITED IN THE HIGHWAY ACCOUNT IN THE STATE SPECIAL REVENUE FUND AND THAT IS SUBJECT TO ARTICLE VIII, SECTION 6, OF THE MONTANA CONSTITUTION FROM BEING TRANSFERRED BETWEEN PROGRAMS; AMENDING SECTION 17-7-139, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 17-7-139, MCA, is amended to read:

"**17-7-139. Program transfers.** (1) ~~Unless~~ Subject to subsection (2) or unless prohibited by law, the approving authority may approve agency requests to transfer appropriations between programs within each fund type within each fiscal year. The transfer may not exceed 5% of the total agency appropriation, excluding statutory appropriations, administrative authorizations, and budget amendments. All program transfers must be completed within the same fund from which the transfer originated. A request for a transfer accompanied by a justification explaining the reason for the transfer must be submitted by the requesting agency to the approving authority and the office of budget and program planning. Upon approval of the transfer, the approving authority shall inform the legislative fiscal analyst of the approved transfer and the justification for the transfer.

(2) Money that is deposited in the highway account in the state special revenue fund and that is subject to Article VIII, section 6, of the Montana constitution may not be transferred pursuant to subsection (1)."

NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 1997.

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