

HOUSE BILL NO. 198

INTRODUCED BY K. WAGONER

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DEATH CERTIFICATE FEE LAWS; REDISTRIBUTING A PORTION OF DEATH CERTIFICATE FEES; DIVERTING A PORTION OF DEATH CERTIFICATE FEES TO VETERANS' CEMETERIES; REMOVING A TERMINATION DATE FOR DEATH CERTIFICATE FEE INCREASES AT COUNTY AND STATE LEVELS; AMENDING SECTIONS 10-2-603 AND 37-19-203, MCA; REPEALING SECTION 6, CHAPTER 380, LAWS OF 2015; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 10-2-603, MCA, is amended to read:

**"10-2-603. Special revenue account -- use of funds -- solicitation.** (1) There is an account in the special revenue fund to the credit of the board for the state veterans' cemeteries.

(2) Plot allowances, donations to the cemetery program, and fund transfers pursuant to 15-1-122(3)(d) and 37-19-203 must be deposited into the account.

(3) The account is statutorily appropriated, as provided in 17-7-502, to the department and may be used by the board only for the construction, maintenance, operation, and administration of the state veterans' cemeteries.

(4) The board shall solicit veterans' license plate sales and donations on behalf of the state veterans' cemeteries."

**Section 2.** Section 37-19-203, MCA, is amended to read:

**"37-19-203. (Temporary) Funding from death certificate fees -- uses.** (1) The department shall deposit into the state special revenue fund for use by the board \$3 of the fee received for each certified copy of a death certificate and each additional certified copy of a death certificate issued by a county under 7-4-2631 or the department of public health and human services under 50-15-111 and each informational copy of a death certificate issued by the department of public health and human services.

(2) The revenue received by the board under subsection (1) must be used by the board for general

1 administration of the board.

2 (3) The board may not reduce license fees.

3 (4) (a) The balance in the state special revenue fund may be no more than the total of the income  
4 generated by licensing fees plus an equivalent amount from income generated by the death certificate fees  
5 deposited under subsection (1).

6 (b) Any amount of income generated by the death certificate fees that is greater than the amount in  
7 subsection (4)(a) must be deposited in the ~~state general fund~~ the state veterans' cemeteries account provided  
8 for in 10-2-603 for the purposes described in 10-2-603 upon certification by the department that additional funds  
9 are not needed for special circumstances as provided in 17-2-302(2).

10 (5) In even-numbered calendar years, ~~beginning in July 2016~~, the board shall report to the economic  
11 affairs interim committee the status of the special revenue account and fees charged as a funding source for the  
12 board. (~~Terminates June 30, 2017--sec. 6, Ch. 380, L. 2015.~~)"

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14 NEW SECTION. Section 3. Repealer. Section 6, Chapter 380, Laws of 2015, is repealed.

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16 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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