

## 1 HOUSE BILL NO. 554

2 INTRODUCED BY B. SMITH

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO LEGISLATOR PAYROLL AND  
5 BENEFITS; AMENDING SECTIONS 5-2-302 AND 5-2-303, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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9 **Section 1.** Section 5-2-302, MCA, is amended to read:10 **"5-2-302. Compensation and expenses when legislature not in session.** When the legislature is not  
11 in session, a member of the legislature, while engaged in legislative business with prior authorization of the  
12 appropriate funding authority, is entitled to:

13 (1) a mileage allowance as provided in 2-18-503;

14 (2) expenses as provided in 2-18-501 and 2-18-502; and

15 (3) a salary equal to one full day's pay at the rate described in 5-2-301(1) for each 24-hour period of time  
16 (from midnight to midnight), or portion of a 24-hour period, spent ~~away from home~~ on authorized interim or  
17 administrative committee legislative business or as otherwise provided by law. However, if time spent for business  
18 other than authorized legislative interim or administrative committee business or business related to 5-11-305  
19 results in lengthening a legislator's stay away from home into an additional 24-hour period, the legislator may not  
20 be compensated for the additional day."

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22 **Section 2.** Section 5-2-303, MCA, is amended to read:23 **"5-2-303. Participation in state benefits group -- employer contribution made to other plan.** (1)  
24 Individual members of the senate and the house of representatives may enroll in the state employees benefits  
25 group during the terms to which they have been elected. The provider of benefits shall enroll and collect  
26 employee contributions directly from ~~such those~~ legislators. The employer contribution ~~shall~~ must be paid from  
27 funds appropriated for that purpose.28 (2) (a) If a member does not enroll or terminates enrollment under the state employees benefits group  
29 plan and is insured under a plan providing disability insurance as defined in 33-1-207, the department of  
30 administration, upon request of the member, shall pay to the member's insurer an amount equal to the premium

1 required to be paid by the member for coverage of the member and any dependents under the disability  
2 insurance plan, subject to the limitation contained in subsection (2)(b).

3 (b) A payment made under subsection (2)(a) may not exceed the amount of the employer contribution  
4 for group benefits for members of the legislature as provided for in 2-18-703.

5 ~~(c) Unused employer contributions may be transferred to an account as provided in 2-18-703 for a~~  
6 ~~member who:~~

7 ~~—— (i) does not enroll;~~

8 ~~—— (ii) is a state employee whose contributions are paid for by another agency; or~~

9 ~~—— (iii) terminates enrollment and is insured under another plan providing disability insurance.~~

10 ~~—— (d) If the department of administration does not request transfer of the unused employer contributions~~  
11 ~~as provided in subsection (2)(c), any unused portion must revert to the general fund at the end of the biennium.~~

12 (C) UNUSED EMPLOYER CONTRIBUTIONS MUST BE TRANSFERRED TO AN ACCOUNT AS PROVIDED IN 2-18-703 FOR  
13 A LEGISLATOR WHO IS A STATE EMPLOYEE AND WHO HAS CONTRIBUTIONS PAID FOR BY ANOTHER AGENCY WHEN THE  
14 LEGISLATURE IS NOT IN SESSION."

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16 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2013.

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