

Proposed 2013 Session Legislation

Agency Name & No: Department of Revenue - 5801

Priority Number: 9 **Filename:** 5801\08-009

Short Title: Eliminate Errors in the Calculation of Taxes, Fees, and Assessments to the Local Government

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1. Purpose:

To ensure the correct calculation and application of local government fees by removing this authority and requirement from the DOR and allowing the local governments to apply, correct and modify special fees associated with specific properties in the county computer systems.

2. Background:

Currently, Title 15-10-305 MCA, states: "(1)(b), the department shall compute the taxes by multiplying the number of mills times the taxable value of the property to be taxed and shall add any fees or assessments required to be levied against a person owning property. All taxes, fees, and assessments must be itemized for the property listed in the property tax record. Local governments are responsible for establishing special fees and assessments by resolution. Local governments have discretion to determine how their special districts are administered and how fees will be assessed and allocated. Currently the department identifies and codes all property located within each special district, this would not change. Under this proposed legislation, local governments would be responsible for ensuring the accuracy and application of specials to specific properties in the county computer systems. The department seeks to ensure that the local government more closely monitors the fees that they establish for their operations in the county computer systems and which they alone have legal authority to create and administer.

3. Fiscal Impact by Fund Type: *This impact should be as specific as possible.*

4. Summary Checklist [Check & complete all that apply]--

Housekeeping Only
 Federal Requirement
 Audit Recommendation (Audit No.)
 Major Legislation

Anticipated to be Controversial Legislation
 Bill Draft has been Included in Legislation Submittal (if available)

Supports Submitted EPP Item Number:
 Local Government Fiscal Impact

Increases FTE, or
 Decreases FTE by
 List FTE amount and program

Increases Existing Revenue
 Tax
 Fee
 Penalty [amount in #3]

Decreases Existing Revenue
 Tax
 Fee
 Penalty [amount in #3]

Establishes New Revenue
 Tax
 Fee
 Penalty [amount in #3]

Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):

Legislation would affect other state agencies (list):

Special Interest Groups Affected (list): MACO

Other: