

1 SENATE BILL NO. 393  
2 INTRODUCED BY G. HERTZ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FUNDING FOR REIMBURSEMENTS FOR FELONY  
5 CRIMINAL JURISDICTION ON THE FLATHEAD INDIAN RESERVATION; PROVIDING AN APPROPRIATION;  
6 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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10 NEW SECTION. Section 1. Allocation. Money must be allocated from the general fund to the office  
11 of budget and program planning to provide reimbursement for expenditures resulting from the enforcement of  
12 felony criminal jurisdiction on the Flathead Indian reservation.

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14 NEW SECTION. SECTION 2. DISTRIBUTION OF FUNDS. THE OFFICE OF BUDGET AND PROGRAM PLANNING  
15 SHALL DISTRIBUTE THE AMOUNT ALLOCATED UNDER [SECTION 1] TO LAKE COUNTY AND THE CONFEDERATED SALISH  
16 AND KOOTENAI TRIBES UPON SATISFACTION OF THE FOLLOWING CONDITIONS:

17 (1) \$250,000 MUST BE DISTRIBUTED ON OR BEFORE JULY 31, 2025, TO LAKE COUNTY AND \$250,000  
18 MUST BE DISTRIBUTED TO THE CONFEDERATED SALISH AND KOOTENAI TRIBES IF THE BOARD OF COUNTY  
19 COMMISSIONERS OF LAKE COUNTY HAS RESCINDED AND VACATED "RESOLUTION NO. 22-42(A) TO WITHDRAW FROM  
20 PUBLIC LAW 280" ADOPTED JANUARY 3, 2023. THE RIGHT OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE  
21 COUNTY TO WITHDRAW CONSENT TO ENFORCE CRIMINAL JURISDICTION PURSUANT TO 2-1-306(3) MAY NOT BE FURTHER  
22 EXERCISED BY THE BOARD UNTIL THE LATER OF:

23 (A) JUNE 1, 2027; OR

24 (B) JUNE 30, 2028, IF THE TERMINATION DATE PROVIDED IN SECTION 5, CHAPTER 556, LAWS OF 2021, IS  
25 EXTENDED BEYOND JUNE 30, 2027.

26 (2) THE BALANCE OF THE APPROPRIATION FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, MUST BE  
27 DISTRIBUTED IN EQUAL AMOUNTS TO LAKE COUNTY AND TO THE CONFEDERATED SALISH AND KOOTENAI TRIBES WITHIN  
28 30 DAYS OF THE ENTRANCE INTO AN AGREEMENT BETWEEN THE STATE OF MONTANA, LAKE COUNTY, AND THE

1 CONFEDERATED SALISH AND KOOTENAI TRIBES ADDRESSING THE SHARING OF COSTS BETWEEN LAKE COUNTY AND THE  
2 CONFEDERATED SALISH AND KOOTENAI TRIBES ASSOCIATED WITH THE IMPLEMENTATION OF PUBLIC LAW 280 WITHIN  
3 LAKE COUNTY, INCLUDING PROVISIONS RELATING TO THE EXPENDITURE OF THE AMOUNT ALLOCATED UNDER [SECTION 1]  
4 FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND FOR THE FISCAL YEAR BEGINNING JULY 1, 2026.

5 (3) THE APPROPRIATION FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, MUST BE DISTRIBUTED IN EQUAL  
6 AMOUNTS TO LAKE COUNTY AND TO THE CONFEDERATED SALISH AND KOOTENAI TRIBES BY JULY 31, 2026, SUBJECT TO  
7 CONFIRMATION BY THE OFFICE OF BUDGET AND PROGRAM PLANNING OF SUBSTANTIAL COMPLIANCE BY ALL PARTIES WITH  
8 THE TERMS OF THE AGREEMENT BETWEEN THE STATE OF MONTANA, LAKE COUNTY, AND THE CONFEDERATED SALISH  
9 AND KOOTENAI TRIBES.

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11 NEW SECTION. **Section 3.** ~~Effective date.~~ [This act] is effective July 1, 2025.

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13 NEW SECTION. **SECTION 3. APPROPRIATION.** THERE IS APPROPRIATED \$6 MILLION FROM THE GENERAL  
14 FUND TO THE OFFICE OF BUDGET AND PROGRAM PLANNING FOR THE BIENNIUM BEGINNING JULY 1, 2025, FOR THE  
15 PURPOSE PROVIDED FOR IN [SECTION 1].

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17 NEW SECTION. **SECTION 4. EFFECTIVE DATE.** [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

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