

1 HOUSE BILL NO. 27
2 INTRODUCED BY FOSTER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT A SCHOOL
5 DISTRICT FROM THE NEPOTISM LAW IN THE EMPLOYMENT OF A
6 SUBSTITUTE TEACHER; AND AMENDING SECTION 2-2-302, MCA."

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

9 Section 1. Section 2-2-302, MCA, is amended to read:

10 "2-2-302. Appointment of relative to office of trust or
11 emolument unlawful. (1) It ~~shall be~~ is unlawful for any a
12 person or any member of any board, bureau, or commission or
13 employee at the head of any department of this state or any
14 political subdivision thereof of this state to appoint to
15 any position of trust or emolument any person related or
16 connected by consanguinity within the fourth degree or by
17 affinity within the second degree.

18 (2) The provisions of this section and 2-2-303 do not
19 apply to:

20 (a) ~~sheriffs~~ a sheriff in the appointment of persons a
21 person as cooks a cook and/or attendants an attendant; and

22 (b) the renewal of an employment contract of a person
23 who was initially hired before the member of the board,
24 bureau, or commission or the department head to whom he is
25 related assumed the duties of the office; or

1 (c) a school district in the employment of a person as
2 a substitute teacher."

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

1 HOUSE BILL NO. 27
2 INTRODUCED BY FOSTER
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT, IN CERTAIN
5 CIRCUMSTANCES, A SCHOOL DISTRICT FROM THE NEPOTISM LAW IN
6 THE EMPLOYMENT OF A SUBSTITUTE TEACHER; AND AMENDING SECTION
7 2-2-302, MCA."
8

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

10 Section 1. Section 2-2-302, MCA, is amended to read:

11 "2-2-302. Appointment of relative to office of trust or
12 emolument unlawful. (1) It ~~shall be~~ is unlawful for any a
13 person or any member of any board, bureau, or commission or
14 employee at the head of any department of this state or any
15 political subdivision thereof of this state to appoint to
16 any position of trust or emolument any person related or
17 connected by consanguinity within the fourth degree or by
18 affinity within the second degree.

19 (2) The provisions of this section and 2-2-303 do not
20 apply to:

21 (a) ~~sheriffs~~ a sheriff in the appointment of persons a
22 person as cooks a cook and/or attendants an attendant; and

23 (b) the renewal of an employment contract of a person
24 who was initially hired before the member of the board,
25 bureau, or commission or the department head to whom he is

1 related ~~assumed~~ the duties of the officer; or
2 (c) a school district in the employment of a person as
3 a substitute teacher WHO IS NOT EMPLOYED AS A SUBSTITUTE
4 TEACHER FOR MORE THAN 30 CONSECUTIVE SCHOOL DAYS."

-End-

SECOND READING



1 HOUSE BILL NO. 27
2 INTRODUCED BY FOSTER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT, IN CERTAIN
5 CIRCUMSTANCES, A SCHOOL DISTRICT FROM THE NEPOTISM LAW IN
6 THE EMPLOYMENT OF A SUBSTITUTE TEACHER; AND AMENDING SECTION
7 2-2-302, MCA."

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

10 **Section 1.** Section 2-2-302, MCA, is amended to read:

11 "2-2-302. Appointment of relative to office of trust or
12 emolument unlawful. (1) It ~~shall be~~ is unlawful for any a
13 person or any member of any board, bureau, or commission or
14 employee at the head of any department of this state or any
15 political subdivision thereof of this state to appoint to
16 any position of trust or emolument any person related or
17 connected by consanguinity within the fourth degree or by
18 affinity within the second degree.

19 (2) The provisions of this section and 2-2-303 do not
20 apply to:

21 (a) sheriffs a sheriff in the appointment of persons a
22 person as cooks a cook and/or attendants an attendant; and

23 (b) the renewal of an employment contract of a person
24 who was initially hired before the member of the board,
25 bureau, or commission or the department head to whom he is

1 related assumed the duties of the office; or

2 (c) a school district in the employment of a person as
3 a substitute teacher WHO IS NOT EMPLOYED AS A SUBSTITUTE
4 TEACHER FOR MORE THAN 30 CONSECUTIVE SCHOOL DAYS."

-End-

THIRD READING

1 HOUSE BILL NO. 27
 2 INTRODUCED BY FOSTER
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT, IN CERTAIN
 5 CIRCUMSTANCES, A SCHOOL DISTRICT FROM THE NEPOTISM LAW IN
 6 THE EMPLOYMENT OF A SUBSTITUTE TEACHER; AND AMENDING SECTION
 7 2-2-302, MCA."
 8

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

10 Section 1. Section 2-2-302, MCA, is amended to read:

11 "2-2-302. Appointment of relative to office of trust or
 12 emolument unlawful. (1) It shall-be is unlawful for any a
 13 person or any member of any board, bureau, or commission or
 14 employee at the head of any department of this state or any
 15 political subdivision thereof of this state to appoint to
 16 any position of trust or emolument any person related or
 17 connected by consanguinity within the fourth degree or by
 18 affinity within the second degree.

19 (2) The provisions of this section and 2-2-303 do not
20 apply to:

21 (a) ~~sheriffs~~ a sheriff in the appointment of persons a
22 person as cooks a cook and/or attendants an attendant; and

23 (b) the renewal of an employment contract of a person
24 who was initially hired before the member of the board,
25 bureau, or commission or the department head to whom he is

1 related assumed the duties of the office; or
 2 (c) a school district in the employment of a person as
 3 a substitute teacher WHO IS NOT EMPLOYED AS A SUBSTITUTE
 4 TEACHER FOR MORE THAN 30 CONSECUTIVE SCHOOL DAYS."

-End-

REFERENCE BILL

