

House Bill 511

In The House

January 27, 1981

Introduced and referred
to Committee on Taxation.

February 23, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 511
2 INTRODUCED BY Manshan

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW SCHOOL
5 DISTRICT VOTED ADDITIONAL TAX LEVIES TO BE EFFECTIVE FOR 2
6 YEARS; AMENDING SECTION 20-9-353, MCA; AND PROVIDING AN
7 IMMEDIATE EFFECTIVE DATE."

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

10 Section 1. Section 20-9-353, MCA, is amended to read:

11 "20-9-353. Additional levy for general fund --
12 election for authorization to impose. (1) The trustees of
13 any district may propose to adopt a general fund budget in
14 excess of the general fund budget amount for such district
15 as established by the schedules in 20-9-316 through 20-9-321
16 for any of the following purposes:

17 (a) building, altering, repairing, or enlarging any
18 schoolhouse of the district;

19 (b) furnishing additional school facilities for the
20 district;

21 (c) acquisition of land for the district;

22 (d) proper maintenance and operation of the school
23 programs of the district.

24 (2) However, when the trustees adopt a total general
25 fund budget which exceeds 110% of the general fund budget

1 for the preceding year, they shall file a notice of this
2 increase with the superintendent of public instruction,
3 setting forth the specific reasons for increasing the
4 budget.

5 (3) When the trustees of any district determine that
6 an additional amount of financing is required for the
7 general fund budget that is in excess of the statutory
8 schedule amount, the trustees shall submit the proposition
9 of an additional levy to raise such excess amount of general
10 fund financing to the electors who are qualified under
11 20-20-301 to vote upon such proposition except that no
12 election shall be required to permit the school trustees to
13 use federal funds received under Title I of Public Law
14 81-874 to increase the school district's general fund budget
15 as established in 20-9-316 through 20-9-321 by the amount of
16 these funds. Such special election shall be called and
17 conducted in the manner prescribed by this title for school
18 elections. The ballot for such election shall state the
19 amount of money to be raised by additional property
20 taxation, the approximate number of mills required to raise
21 such money, and the purpose for which such money will be
22 expended, and it shall be in the following format:

23 *PROPOSITION

24 Shall a levy be made in addition to the levies
25 authorized by law in such number of mills as may be

1 necessary to raise the sum of (state the amount to be raised
 2 by additional tax levy), and being approximately (give
 3 number) mills, for the purpose of (insert the purpose for
 4 which the additional tax levy is made). such additional levy
 5 to be imposed in and effective for (insert number of years
 6 for which additional levy is effective) school fiscal
 7 year(s)?

8 FOR the additional levy.

9 AGAINST the additional levy.*

10 (4) If the election on any additional levy for the
 11 general fund is approved by a majority vote of those
 12 electors voting at such election, the proposition shall
 13 carry and the trustees may use any portion or all of the
 14 authorized amount authorized for a particular school fiscal
 15 year for which the levy is authorized in adopting the
 16 preliminary general fund budget for that year. The trustees
 17 shall certify the additional levy amount authorized for that
 18 year by such a special election on the budget form that is
 19 submitted to the county superintendent, and the county
 20 commissioners shall levy such number of mills on the taxable
 21 value of all taxable property within the district, as
 22 prescribed in 20-9-141, as are required to raise the amount
 23 of such additional levy.

24 (5) Authorization to levy an additional tax under the
 25 provisions of this section shall be effective for ~~only 1~~ no

1 ~~more than 2~~ school fiscal year years and shall be authorized
 2 by a special election conducted before August 1 of the first
 3 school fiscal year for which it is effective. Only one such
 4 additional levy for the maintenance and operation of the
 5 school programs of a high school district may be imposed by
 6 a high school district in a given school fiscal year, but
 7 this does not prevent such district from proposing such a
 8 levy to be effective for 2 years. The adoption of an
 9 additional levy to be effective for 2 years does not prevent
 10 the trustees from proposing to increase such levy by
 11 election pursuant to this section for the second year if
 12 they consider that levy to be inadequate for the second
 13 year."

14 Section 2. Effective date. This act is effective on
 15 passage and approval.

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