

House Bill 521

In The House

January 27, 1981	Introudced and referred to Committee on Taxation.
January 29, 1981	Fiscal note requested.
February 3, 1981	Fiscal note returned.
February 10, 1981	Committee recommend bill do not pass.

1 HOUSE BILL NO. 521

2 INTRODUCED BY Menahan

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A
5 SPECIAL ELECTION ON AN ADDITIONAL LEVY FOR A SCHOOL DISTRICT
6 IS REQUIRED ONLY IF NO ADDITIONAL LEVY WAS IMPOSED THE
7 PREVIOUS YEAR, THE ADDITIONAL LEVY IS GREATER THAN THE
8 PREVIOUS LEVY, OR UPON VOTER PETITION; AMENDING SECTION
9 20-9-353, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

- 19 (a) building, altering, repairing, or enlarging any
- 20 schoolhouse of the district;
- 21 (b) furnishing additional school facilities for the
- 22 district;
- 23 (c) acquisition of land for the district;
- 24 (d) proper maintenance and operation of the school
- 25 programs of the district.

1 (2) However, when the trustees adopt a total general
2 fund budget which exceeds 110% of the general fund budget
3 for the preceding year, they shall file a notice of this
4 increase with the superintendent of public instruction,
5 setting forth the specific reasons for increasing the
6 budget.

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

-2- INTRODUCED BILL
HB 521

1 "PROPOSITION

2 Shall a levy be made in addition to the levies
3 authorized by law in such number of mills as may be
4 necessary to raise the sum of (state the amount to be raised
5 by additional tax levy), and being approximately (give
6 number) mills, for the purpose of (insert the purpose for
7 which the additional tax levy is made)?

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 in adopting the preliminary general fund
15 budget. The trustees shall certify the additional levy
16 amount authorized by such a special election on the budget
17 form that is submitted to the county superintendent, and the
18 county commissioners shall levy such number of mills on the
19 taxable value of all taxable property within the district,
20 as prescribed in 20-9-141, as are required to raise the
21 amount of such additional levy.

22 (5) ~~Authorization to levy an~~ An additional tax levy
23 under the provisions of this section shall be effective for
24 only 1 school fiscal year ~~and shall be authorized by a~~

25 (6) ~~A~~ special election conducted before August 1 of

1 the school fiscal year for ~~which it is effective~~ an
2 additional levy is required only if:

3 (a) no additional levy was imposed in the previous
4 year;

5 (b) the additional levy is greater than an additional
6 levy imposed in the previous year; or

7 (c) 20% of the qualified electors of the district
8 petition the trustees for such an election.

9 (7) Only one such additional levy for the maintenance
10 and operation of the school programs of a high school
11 district may be imposed by a high school district in a given
12 school fiscal year."

-End-

STATE OF MONTANA

REQUEST NO. 251-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 29, 19 81, there is hereby submitted a Fiscal Note for House Bill 521 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

An act to provide that a special election on an additional levy for a school district is required only if no additional levy was imposed the previous year, the additional levy is greater than the previous levy, or upon voter petition.

Fiscal Impact

No fiscal impact to the state.

Local Impact

Those communities which have fewer special elections under this measure will save the cost of holding those elections.

David M Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-2-81
