

HOUSE BILL NO. 652

Introduced: 02/05/83

Referred to Committee on Education & Cultural Resources:  
02/05/83

Hearing: 2/14/83

Report: 02/14/83

Bill Killed: 2/15/83

1 House BILL No. 652  
2 INTRODUCED BY Wendell Sadler

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD  
5 FOR DETERMINING APPROVAL OR REJECTION OF AN ELECTION  
6 PROPOSITION ON AN ADDITIONAL LEVY FOR A SCHOOL DISTRICT  
7 GENERAL FUND BUDGET; AMENDING SECTION 20-9-353, MCA."

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

10 ~~NEW SECTION.~~ Section 1. Determination of approval or  
11 rejection of proposition at additional levy election. (1)  
12 When the trustees canvass the vote of a school district  
13 additional levy election under the provisions of 20-20-415,  
14 they shall determine the approval or rejection of the school  
15 additional levy proposition in the following manner:

16 (a) (i) determine the total number of electors of the  
17 school district who are qualified to vote under the  
18 provisions of 20-20-301 from the list of electors supplied  
19 by the county election administrator for the school  
20 additional levy election;

21 (ii) determine the total number of qualified electors  
22 who voted at the school additional levy election from the  
23 tally sheet or sheets for the election;

24 (iii) calculate the percentage of qualified electors  
25 voting at the school additional levy election by dividing

1 the number determined in subsection (1)(a)(ii) by the number  
2 determined in subsection (1)(a)(i).

3 (b) If the calculated percentage in subsection  
4 (1)(a)(iii) is 35% or more, the school additional levy  
5 proposition is approved and adopted if a majority of the  
6 votes are cast in favor of the proposition; otherwise it is  
7 rejected.

8 (c) If the calculated percentage in subsection  
9 (1)(a)(iii) is more than 25% but less than 35%, the school  
10 bond proposition is approved and adopted if 60% or more of  
11 the votes are cast in favor of the proposition; otherwise it  
12 is rejected.

13 (d) If the calculated percentage in subsection  
14 (1)(a)(iii) is 25% or less, the school additional levy  
15 proposition is rejected.

16 (2) If the canvass of the vote establishes the  
17 approval and adoption of the school additional levy  
18 proposition, the trustees shall issue a certificate  
19 proclaiming the passage of the proposition.

20 Section 2. Section 20-9-353, MCA, is amended to read:

21 "20-9-353. Additional levy for general fund --  
22 election for authorization to impose. (1) The trustees of  
23 any district may propose to adopt a general fund budget in  
24 excess of the general fund budget amount for such district  
25 as established by the schedules in 20-9-316 through 20-9-321

1 for any of the following purposes:

2 (a) building, altering, repairing, or enlarging any  
3 schoolhouse of the district;

4 (b) furnishing additional school facilities for the  
5 district;

6 (c) acquisition of land for the district;

7 (d) proper maintenance and operation of the school  
8 programs of the district.

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

1 expended, and it shall be in the following format:

2 PROPOSITION

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

9 ☐ FOR the additional levy.

10 ☐ AGAINST the additional levy.

11 (3) If the election on any additional levy for the  
12 general fund is approved by ~~a majority vote of these~~  
13 ~~electors voting at such election as provided in [section 1]~~,  
14 the proposition shall carry and the trustees may use any  
15 portion or all of the authorized amount in adopting the  
16 preliminary general fund budget. The trustees shall certify  
17 the additional levy amount authorized by such a special  
18 election on the budget form that is submitted to the county  
19 superintendent, and the county commissioners shall levy such  
20 number of mills on the taxable value of all taxable property  
21 within the district, as prescribed in 20-9-141, as are  
22 required to raise the amount of such additional levy.

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

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1 election conducted before August 1 of the school fiscal year  
2 for which it is effective."

3 NEW\_SECTION. Section 3. Codification instruction.  
4 Section 1 is intended to be codified as an integral part of  
5 Title 20, chapter 9, part 3, and the provisions of Title 20  
6 apply to section 1.

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