

HOUSE BILL NO. 879

2/19 Introduced  
2/19 Referred to Education & Cultural Resources  
2/22 Hearing  
2/23 Committee Report-Bill Pass As Amended  
2/26 2nd Reading Do Not Pass  
2/26 Bill Killed

1 HOUSE BILL NO. 879  
2 INTRODUCED BY C. Daily

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE TRUSTEES  
5 OF A SCHOOL DISTRICT TO EXTEND WITHOUT ELECTOR APPROVAL THE  
6 ADDITIONAL LEVY APPROVED FOR FINANCING THE DISTRICT GENERAL  
7 FUND BUDGET FOR BASE YEAR 1985-1986; TO PROVIDE THAT THE  
8 ELECTORS MUST APPROVE ANY AMOUNT IN EXCESS OF THE BASE YEAR  
9 ADDITIONAL LEVY; AMENDING SECTION 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) (a) When the trustees of any district determine  
2 that an additional amount of financing is required for the  
3 general fund budget that is in excess of the statutory  
4 schedule amount but is not in excess of the general fund  
5 budget amount for the base year as provided in subsection  
6 (5), the trustees may require that the additional levy  
7 amount authorized for the base year be levied for the  
8 ensuing school fiscal year.

9 (b) 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 and is in excess of the additional levy  
13 amount for the base year as provided in subsection (5), the  
14 trustees shall submit the proposition of an additional levy  
15 to raise such excess amount of general fund financing to the  
16 electors who are qualified under 20-20-301 to vote upon such  
17 proposition except that no election shall be required to  
18 permit the school trustees to use ~~federal-funds-received~~  
19 ~~under-Title-I-of-Public-Law-81-874-to-increase-the-school~~  
20 ~~district's-general-fund-budget-as-established-in-20-9-316~~  
21 ~~through-20-9-321-by-the-amount-of-these-funds~~ any funds  
22 available to finance the additional amount other than those  
23 funds to be raised by the additional levy. Such special  
24 election shall be called and conducted in the manner  
25 prescribed by this title for school elections. The ballot



1 for such election shall state only the amount of money to be  
2 raised by additional property taxation in excess of the  
3 additional levy amount for the base year, the approximate  
4 number of mills required to raise such money, and the  
5 purpose for which such money will be expended, and it shall  
6 be in the following format:

7 PROPOSITION

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

14  FOR the additional levy.

15  AGAINST the additional levy.

16 (3) (a) If the election on any additional levy for the  
17 general fund is approved by a majority vote of those  
18 electors voting at such election, the proposition shall  
19 carry and the trustees may use any portion or all of the  
20 authorized amount in adopting the preliminary general fund  
21 budget. The trustees shall certify the additional levy  
22 amount authorized by such a special election and the  
23 additional levy amount from the base year on the budget form  
24 that is submitted to the county superintendent, and the  
25 county commissioners shall levy such number of mills on the

1 taxable value of all taxable property within the district,  
2 as prescribed in 20-9-141, as are required to raise the  
3 amount of such additional ~~levy~~ levies.

4 (b) If the proposition fails to be approved, the  
5 trustees may certify only the additional levy amount from  
6 the base year in the manner provided in subsection (3)(a).

7 (4) Authorization to levy an additional tax under the  
8 provisions of ~~this--section--shall-be-effective-for-only-1~~  
9 ~~school-fiscal-year--and--shall~~ subsection (2)(b) must be  
10 authorized by a single special election conducted before  
11 August 1 of the school fiscal year for which it is  
12 effective.

13 (5) For the purposes of this section, "base year"  
14 means school fiscal year 1985-1986 or any year thereafter  
15 for which a proposition on an additional levy amount is  
16 approved. The base year additional levy amount must be  
17 approved by the qualified electors every 5 years in a  
18 proposition that is stated in the manner provided in  
19 subsection (2)(b)."

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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 20 ~~district's--general--fund--budget--as--established--in--20-9-316~~  
 21 ~~through--20-9-321--by--the--amount--of--these--funds~~ any funds  
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 3 amount of such additional levy levies.

4 (b) If the proposition fails to be approved, the  
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7 (4) Authorization to levy an additional tax under the  
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 18 a proposition that is stated in the manner provided in  
 19 subsection (2)(b)."

-End-