

SENATE BILL NO. 243

1/24 Introduced
1/25 Referred to Education & Cultural Resources
Died in Committee

1 *Senate* BILL NO. *243*
 2 INTRODUCED BY *Senators Moore, E. Smith*
 3 *Had Hammond, Dan ARLESTAD, featuring Harding*
 4 *W. Keith Birkhead, Prof. David McCallum, Boyle*
 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE REGULAR

5 SCHOOL ELECTION DAY TO THE FIRST TUESDAY AFTER THE FIRST
 6 MONDAY IN JUNE AND TO REQUIRE THAT SCHOOL FUNDING ELECTIONS
 7 BE HELD ON THE REGULAR SCHOOL ELECTION DAY; AMENDING
 8 SECTIONS 13-1-104, 20-3-304, 20-20-105, AND 20-20-201, MCA."

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

11 Section 1. Section 13-1-104, MCA, is amended to read:

12 "13-1-104. Times for holding general elections. (1) A
 13 general election shall be held throughout the state in every
 14 even-numbered year on the first Tuesday after the first
 15 Monday of November to vote on ballot issues required by
 16 Article III, section 6, or Article XIV, section 8, of the
 17 Montana constitution to be submitted by the legislature to
 18 the electors at a general election, unless an earlier date
 19 is provided in a law authorizing a special election on an
 20 initiative or referendum pursuant to Article III, section 6,
 21 and to elect federal officers, state or multicounty district
 22 officers, members of the legislature, judges of the district
 23 court, and county officers when the terms of such offices
 24 will expire before the next scheduled election for the
 25 offices or when one of the offices must be filled for an

1 unexpired term as provided by law.

2 (2) A general election shall be held throughout the
 3 state in every odd-numbered year on the first Tuesday after
 4 the first Monday in November to elect municipal officers,
 5 officers of political subdivisions wholly within one county
 6 and not required to hold annual elections, and any other
 7 officers specified by law for election in odd-numbered years
 8 when the term for the offices will expire before the next
 9 scheduled election for the offices or when one of the
 10 offices must be filled for an unexpired term as provided by
 11 law.

12 (3) The general election for any political subdivision
 13 required to hold elections annually shall be held on school
 14 election day, the first Tuesday ~~of--April~~ after the first
 15 Monday in June of each year, and is subject to the election
 16 procedures provided for in 13-1-401."

17 Section 2. Section 20-3-304, MCA, is amended to read:

18 "20-3-304. Annual election. In each district an
 19 election of trustees shall be conducted annually on the
 20 regular school election day, the first Tuesday ~~of--April~~
 21 after the first Monday in June. Election of trustees shall
 22 comply with the election provisions of Title 13 and this
 23 title."

24 Section 3. Section 20-9-111, MCA, is amended to read:

25 "20-9-111. Initial budget items for completion --



1 estimated budgeting authority. (1) During the month of ~~March~~
 2 ~~May~~, the county superintendent shall complete the portions
 3 of the budget form providing information about the last
 4 completed school year and, separate from the budget form,
 5 estimate the maximum amount to be available for the general
 6 fund budget in the ensuing year without an additional levy.
 7 By ~~April~~ June 10, the county superintendent shall send to
 8 each district two copies of the budget form, the general
 9 fund estimate, and any other information or data as may be
 10 required by the superintendent of public instruction or that
 11 the county superintendent may deem necessary.

12 (2) Upon receipt of the budget forms, the district
 13 shall complete those portions of them which require
 14 information about the then-current school year."

15 Section 4. Section 20-20-105, MCA, is amended to read:

16 "20-20-105. Regular school election day and special
 17 school elections. The first Tuesday ~~of April~~ after the first
 18 Monday in June of each year shall be the regular school
 19 election day. Unless otherwise provided by law, special
 20 school elections may be conducted at such times as
 21 determined by the trustees."

22 Section 5. Section 20-20-201, MCA, is amended to read:

23 "20-20-201. Calling of school election. (1) At least
 24 40 days before any school election, the trustees of any
 25 district shall call such school election by resolution,

1 stating the date and purpose of such election, and shall
 2 conduct it in accordance with the procedures required by
 3 law, when:

4 (a) an election must be held on the regular school
 5 election day;

6 (b) in their discretion, the trustees order an
 7 election for a purpose authorized by law;

8 (c) the county superintendent orders an election in
 9 accordance with the law authorizing such an order;

10 (d) the board of public education orders an election
 11 in accordance with the law authorizing such an order;

12 (e) the county commissioners order an election in
 13 accordance with the law authorizing such an order;

14 (f) the board of trustees of a community college
 15 district orders an election in accordance with the law
 16 authorizing such an order (in which case the community
 17 college district shall bear its share of the cost of such
 18 election); or

19 (g) a school election is required by law under any
 20 other circumstances.

21 (2) An election ordered by the trustees for
 22 authorization to impose an additional levy in accordance
 23 with 20-9-353, or to authorize the issuance of school
 24 district bonds in accordance with 20-9-421, must be held on
 25 the regular school election day.

1 ~~(2)~~(3) The resolution calling any school election
2 shall be transmitted to the county election administrator no
3 later than 35 days before the election in order to enable
4 him to close the registration and prepare the lists of
5 registered electors as required by school election laws."

6 NEW SECTION. Section 6. Coordination instruction. If
7 House Bill No. 262, including the section of that bill that
8 amends 13-1-107, is passed and approved, this act is void.

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