

HB 258 INTRODUCED BY THOMAS  
LIMIT GENERAL FUND BUDGET OF A SCHOOL DISTRICT AND  
EXEMPT ELECTION ON BUDGET

1/17 INTRODUCED  
1/17 REFERRED TO EDUCATION & CULTURAL RESOURCES  
1/30 HEARING  
2/11 TABLED IN COMMITTEE

1 INTROSUCED BY House BILL NO. 258  
2 Thomas

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT THE GENERAL  
5 FUND BUDGET OF A SCHOOL DISTRICT; TO ALLOW THE TRUSTEES OF A  
6 DISTRICT TO EXTEND FOR THE ENSUING SCHOOL YEAR, WITHOUT  
7 ELECTOR APPROVAL, ANY ADDITIONAL LEVY FINANCING THAT MEETS  
8 THE CONDITIONS OF THE GENERAL FUND BUDGET LIMITATION;  
9 AMENDING SECTION 20-9-353, MCA; AND PROVIDING AN  
10 APPLICABILITY DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

14 "20-9-353. Additional levy for general fund --  
15 election for authorization to impose. (1) The Except as  
16 provided in [section 2], the trustees of any district may  
17 propose to adopt a general fund budget in excess of the  
18 general fund budget amount for such district as established  
19 by the schedules in 20-9-316 through 20-9-321 for any of the  
20 following purposes:

21 (a) building, altering, repairing, or enlarging any  
22 schoolhouse of the district;

23 (b) furnishing additional school facilities for the  
24 district;

25 (c) acquisition of land for the district;

1 (d) proper maintenance and operation of the school  
2 programs of the district.

3 (2) When Subject to the provision of [section 2], when  
4 the trustees of any district determine that an additional  
5 amount of financing is required for the general fund budget  
6 that is in excess of the statutory schedule amount, the  
7 trustees shall submit the proposition of an additional levy  
8 to raise such excess amount of general fund financing to the  
9 electors who are qualified under 20-20-301 to vote upon such  
10 proposition except that no election shall be required to  
11 permit the school trustees to use any funds available to  
12 finance the additional amount other than those funds to be  
13 raised by the additional levy. Such special election shall  
14 be called and conducted in the manner prescribed by this  
15 title for school elections. The ballot for such election  
16 shall state only the amount of money to be raised by  
17 additional property taxation, the approximate number of  
18 mills required to raise such money, and the purpose for  
19 which such money will be expended, and it shall be in the  
20 following format:

21 PROPOSITION

22 Shall a levy be made in addition to the levies  
23 authorized by law in such number of mills as may be  
24 necessary to raise the sum of (state the amount to be raised  
25 by additional tax levy), and being approximately (give

1 number) mills, for the purpose of (insert the purpose for  
2 which the additional tax levy is made)?

3  FOR the additional levy.

4  AGAINST the additional levy.

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

17 (4) Authorization to levy an additional tax under the  
18 provisions of this section shall be effective for only 1  
19 school fiscal year and shall be authorized by a ~~special~~  
20 single election conducted before August 1 of the school  
21 fiscal year for which it is effective."

22 NEW SECTION. Section 2. Limitations on general fund  
23 budget increase -- election waiver -- conditions that  
24 require an election. (1) The trustees of a district may not  
25 adopt a general fund budget for the ensuing school fiscal

1 year which exceeds the percentage increase from the current  
2 year's budget that has been determined as the percentage  
3 increase in the GPI, except that the trustees may adopt a  
4 general fund budget at least as large as the schedule amount  
5 allowed in 20-9-316 through 20-9-321 for the ensuing school  
6 fiscal year. Whenever a current year's general fund budget  
7 includes funding for any of the purposes allowed in 20-9-353  
8 (1)(a) through (1)(c), those budget items must be subtracted  
9 from the current year's general fund budget before applying  
10 the percentage increase allowed in this subsection for the  
11 general fund budget for the ensuing school fiscal year.

12 (2) If the trustees determine that, after meeting the  
13 requirements of subsection (1), the additional levy amount  
14 required to finance the general fund budget does not exceed  
15 the dollar amount of additional levy financing for the  
16 current school fiscal year, the trustees:

17 (a) are not required to submit a proposition to the  
18 electors as set forth in 20-9-353; and

19 (b) may require the county commissioners to set an  
20 additional levy that meets the requirements of this section.

21 (3) If an additional levy amount is authorized and  
22 levied for 4 consecutive years without requiring electoral  
23 approval, a proposition for an additional levy must be  
24 submitted to the electors the following year, regardless of  
25 the amount of financing required.

1           (4) For the purposes of this section, "GPI" means the  
2 implicit price deflator for government purchases of goods  
3 and services as published quarterly in the Survey of Current  
4 Business by the bureau of economic analysis of the United  
5 States department of commerce.

6           NEW SECTION. Section 3. Codification instruction.  
7 Section 2 is intended to be codified as an integral part of  
8 Title 20, chapter 9, part 3, and the provisions of Title 20,  
9 apply to section 2.

10          NEW SECTION. Section 4. Applicability. This act  
11 applies to the general fund budget for the 1989 school  
12 fiscal year, which must be based on the general fund budget  
13 for the 1988 school fiscal year for compliance with this  
14 act.

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