

HOUSE FINAL STATUS

HB 341 INTRODUCED BY KADAS
REVISING PROCEDURES FOR SCHOOL LEVY ELECTIONS

1/21 INTRODUCED
1/21 REFERRED TO EDUCATION & CULTURAL RESOURCES
1/30 HEARING
2/11 TABLED IN COMMITTEE

1 House BILL NO. 341
2 INTRODUCED BY Kadas

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SCHOOL
5 DISTRICT TRUSTEES TO REFER A PROPOSAL TO INCREASE THEIR
6 BUDGET AUTHORITY TO THE ELECTORS ONLY ONCE EACH YEAR;
7 PROVIDING FOR A SEPARATE INCREASE IN BUDGET AUTHORITY FOR
8 CAPITAL EXPENDITURES; AND AMENDING SECTION 20-9-353, MCA."

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

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

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

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

25 (2) When the trustees of any district determine that

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

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



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

(a) Proposal to increase budget authority for operations and maintenance:

Shall the trustees of the district be authorized to increase the general fund budget for operations and maintenance from \$ (state the amount) to \$ (state the proposed amount), requiring an additional levy of \$ (state the amount), being approximately (number) mills?

- FOR the additional levy budget authority.
AGAINST the additional levy budget authority.

(b) Proposal to increase budget authority for capital expenditures:

Shall the trustees of the district be authorized to increase the general fund budget by \$ (state the amount), requiring an additional levy of (number) mills for the purpose of (state purpose)?

- FOR the additional budget authority.
AGAINST the additional budget authority.

(3) (a) The trustees are not required to submit the question of additional budget authority to the electors and may impose the additional levy for the ensuing school fiscal year if:

(i) the purpose of the additional budget authority is to maintain and operate the school program; and

(ii) the additional levy required does not exceed the additional levy for the current budget authority.

(b) If the purpose of the additional budget authority is to build, repair, alter, or enlarge a school building, to furnish additional school facilities, or to acquire land, the authorization for the additional budget authority is effective for only 1 school fiscal year.

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

(4)(5) (a) Authorization Except as provided in subsection (3), authorization to levy an additional tax under the provisions of this section shall be effective for only 1 school fiscal year and shall be authorized by a special an election conducted before--August-1-of on the regular school election day preceding the school fiscal year

1 for which it is effective.

2 (b) The question of additional budget authority may be
3 submitted to the electors as provided in subsection (2)(a)
4 or in subsection (2)(b) only once in the same calendar
5 year."

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