

HB 390 INTRODUCED BY SPAETH
LIMIT VOTE ON ADDITIONAL LEVY TO BUDGET INCREASE

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

1 House BILL NO. 390
2 INTRODUCED BY Spauld

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING SCHOOL
5 DISTRICT TRUSTEES TO EXTEND AN ADDITIONAL LEVY AS LONG AS
6 THE PROPOSED GENERAL FUND BUDGET IS NOT GREATER THAN THE
7 GENERAL FUND BUDGET OF THE CURRENT SCHOOL FISCAL YEAR;
8 ALLOWING ELECTIONS ON ONLY THE INCREASE IN THE PROPOSED
9 GENERAL FUND BUDGET; REDUCING THE PROPOSED GENERAL FUND
10 BUDGET BY 5 PERCENT IF THE PROPOSITION FOR AN ADDITIONAL
11 LEVY FAILS IN A SECOND ELECTION; REDUCING THE PROPOSED
12 GENERAL FUND BUDGET BY 10 PERCENT IF THE PROPOSITION FAILS
13 IN A THIRD ELECTION; AND AMENDING SECTIONS 20-7-326 AND
14 20-9-353, MCA."

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17 Section 1. Section 20-9-353, MCA, is amended to read:
18 "20-9-353. Additional levy for general fund --
19 election for authorization to impose. (1) The trustees of
20 any district may propose to adopt a general fund budget in
21 excess of the general fund budget amount for such district
22 as established by the schedules in 20-9-316 through 20-9-321
23 for any of the following purposes:
24 (a) building, altering, repairing, or enlarging any
25 schoolhouse of the district;

1 (b) furnishing additional school facilities for the
2 district;
3 (c) acquisition of land for the district;
4 (d) proper maintenance and operation of the school
5 programs of the district.

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

25 PROPOSITION



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

7 FOR the additional levy.

8 AGAINST the additional levy.

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

21 (b) If the proposition fails in a second election, the
22 proposed general fund budget must be reduced by 5%. If the
23 proposition fails in a third election, the proposed general
24 fund budget must be reduced by 10%.

25 (4) Authorization to levy an additional tax under the

1 provisions of this section shall be effective ~~for--only--1~~
2 ~~school--fiscal--year~~ as long as the proposed general fund
3 budget amount is not greater than the general fund budget
4 amount of the current school fiscal year and shall be
5 authorized by a special election conducted before August 1
6 of the first school fiscal year for which it is effective."

7 Section 2. Section 20-7-326, MCA, is amended to read:

8 "20-7-326. Additional levy by school district. (1)
9 Notwithstanding the provisions of 20-7-324, the trustees
10 operating a postsecondary vocational-technical center may
11 propose to adopt a budget in excess of the amount
12 appropriated by the legislature for salaries, benefits
13 operations, and equipment. The legislature shall base the
14 appropriation for salaries, benefits, operations, and
15 equipment on amounts appropriated in the previous
16 legislative session.

17 (2) When the trustees determine that an additional
18 amount of financing is required for salaries, benefits,
19 operations, and equipment, they must submit the proposition
20 for an additional levy to the qualified electors of the
21 district pursuant to 20-20-301 and in the manner prescribed
22 by 20-9-353, except the trustees are not required to reduce
23 the proposed budget if the proposition for an additional
24 levy fails in a second or third special election. When
25 another additional levy proposition is presented to the

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1 electorate, the proposition for an additional levy for a
2 postsecondary vocational-technical center may be presented
3 as a separate issue on the ballot or it may be consolidated
4 with the additional levy proposition of the high school
5 district."

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