## HOUSE BILL 19

## Introduced by Boharski

6/19	Introduced
6/19	Referred to Education & Cultura
	Resources
6/21	Hearing
	Died in Committee

1	House BILL NO.	19
	/	

INTRODUCED BY Um & School

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE BOARD OF PUBLIC EDUCATION FROM ADOPTING A RULE WITH SUBSTANTIAL 5 6 FINANCIAL IMPACT UNLESS THE PROPOSED RULE IS FUNDED BY THE LEGISLATURE: AMENDING SECTION 20-2-115, MCA; AND PROVIDING 7 AN IMMEDIATE EFFECTIVE DATE." 8

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

Section 1. Section 20-2-115, MCA, is amended to read: 11

\*20-2-115. Rules with substantial financial impact --

fiscal note -- effect adoption prohibited without funding.

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14 (1) When developing rules, policies, and standards under

20-2-121(6), (7), (9), and (11), the board of public 15

education shall determine the financial impact of the rule,

policy, or standard on school districts.

- (2) The superintendent of public instruction shall prepare a fiscal note for submission to the board, using criteria and assumptions developed by the board. The fiscal note must be prepared within 30 days of a request unless the board agrees to a longer time. The board may also accept other testimony and exhibits on the financial impact to school districts before proceeding to rulemaking.
  - (3) If the financial impact of the proposed rule,



- policy, or standard is found by the board to be substantial.
- 2 the board may not implement adopt the rule until-July-1
- 3 following-the-next-regular--legislative--session--and--shall
- request unless the next legislature to--fund funds
- implementation of the proposed rule, policy, or standard
- through the foundation program.
- 7 (4) A substantial financial impact is an amount that cannot be readily absorbed in the budget of an existing
- 9 school district program.
- 10 (4)(5) A proposed rule, policy, or standard not found
- 11 by the board to have a substantial financial impact on
- 12 school districts or funded by the legislature may be
- 13 implemented at any time."
- 14 NEW SECTION. Section 2. Effective date. [This act] is
- 15 effective on passage and approval.

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