

HOUSE BILL 276

Introduced by Gervais, et al.

1/19	Introduced
1/20	Referred to Education & Cultural Resources
1/20	First Reading
1/29	Hearing
2/05	Committee Report--Bill Passed
2/08	2nd Reading Passed
2/10	3rd Reading Passed
	Transmitted to Senate
2/12	First Reading
2/12	Referred to Education & Cultural Resources
2/19	Hearing
3/05	Tabled in Committee

1 House BILL NO. 276  
2 INTRODUCED BY Howard Russell Ramsey  
3 Coeur d'Alene, Yellowtail  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SCHOOL  
5 DISTRICT TRUSTEE NEPOTISM LAW; AMENDING SECTION 2-2-302,  
6 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 2-2-302, MCA, is amended to read:

10 "2-2-302. Appointment of relative to office of trust or  
11 emolument unlawful -- exceptions -- publication of notice.

12 (1) Except as provided in subsection (2), it is unlawful for  
13 a person or member of any board, bureau, or commission or  
14 employee at the head of a department of this state or any  
15 political subdivision of this state to appoint to any  
16 position of trust or emolument any person related or  
17 connected by consanguinity within the fourth degree or by  
18 affinity within the second degree.

19 (2) The provisions of this section and 2-2-303 do not  
20 apply to:

21 (a) a sheriff in the appointment of a person as a cook  
22 or an attendant;

23 (b) school district trustees if all the trustees who  
24 are present at the appointment meeting, with the exception  
25 of any trustee who is related to the person being appointed

1 and who must abstain from voting for the appointment,  
2 approve the appointment of a person related to a trustee;

3 (c) a school district in the employment of a person as  
4 a substitute teacher who is not employed as a substitute  
5 teacher for more than 30 consecutive school days; or

6 (d) the renewal of an employment contract of a person  
7 who was initially hired before the member of the board,  
8 bureau, or commission or the department head to whom he the  
9 person is related assumed the duties of the office.

10 (3) Prior to the appointment of a person referred to in  
11 subsection (2), the school district trustees shall give  
12 written notice of the time and place of their intended  
13 action. The notice must be published at least 15 days prior  
14 to the trustees' intended action in a newspaper of general  
15 circulation in the county in which the school district is  
16 located."

17 NEW SECTION. **Section 2.** Effective date. [This act] is  
18 effective on passage and approval.

-End-

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

1 House BILL NO. 276  
2 INTRODUCED BY Sen. David Ramsey  
3 Cochise County Yellowtail  
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17 **NEW SECTION. Section 2.** Effective date. [This act] is  
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 2 INTRODUCED BY Donna R. Roney  
 3 Cochise County Yellowtail  
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