

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

INTRODUCED BY Menahan <sup>House</sup> BILL NO. 132

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE DISSOLUTION OF A K-12 SCHOOL DISTRICT; AMENDING SECTION 20-6-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**NEW SECTION.** **Section 1. Dissolution of K-12 school district.** The dissolution of a K-12 school district must be conducted under the following procedure:

(1) Prior to March 1 of the current school fiscal year, the trustees of the K-12 district shall pass a resolution requesting the county superintendent to order a dissolution of the K-12 school district for the ensuing school fiscal year.

(2) When the county superintendent receives a resolution for dissolution from the trustees of the K-12 school district, the county superintendent shall, within 10 days after receipt of the resolution, order the dissolution of the K-12 school district into the original elementary district and high school district to take effect on July 1 of the ensuing school fiscal year. Within 30 days of issuing the order, the county superintendent shall send a copy of the order to the board of county commissioners, the trustees of the K-12 school district, and the superintendent of public instruction.

**Section 2.** Section 20-6-104, MCA, is amended to read:

**"20-6-104. Moratorium on creation of new district -- exceptions.** (1) Following July 1, 1993, a school district may not initiate the creation of a new elementary district under the provisions of 20-6-216 and 20-6-217 or initiate the creation of a new high school district under the provisions of 20-6-303 and 20-6-325.

(2) This section does not apply to:

(a) a petition to create a new elementary or high school district that was filed prior to July 1, 1993; or

(b) the procedure for the dissolution of a K-12 school district pursuant to [section 1]."

1            NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an  
2 integral part of Title 20, chapter 6, part 7, and the provisions of Title 20 apply to [section 1].

3

4            NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

5

-END-