

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING SCHOOL FUNDING LAWS;  
5 INCREASING THE GTB MULTIPLIER AND LINKING ADDITIONAL INCREASES TO REVENUE GENERATED  
6 BY MARIJUANA TAXES; AMENDING SECTION 20-9-366, MCA; AND PROVIDING AN IMMEDIATE  
7 EFFECTIVE DATE."

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

10  
11 **Section 1.** Section 20-9-366, MCA, is amended to read:

12 **"20-9-366. Definitions.** As used in 20-9-366 through 20-9-371, the following definitions apply:

13 (1) "County retirement mill value per elementary ANB" or "county retirement mill value per high school  
14 ANB" means the sum of the taxable valuation in the previous year of all property in the county divided by 1,000,  
15 with the quotient divided by the total county elementary ANB count or the total county high school ANB count  
16 used to calculate the elementary school districts' and high school districts' prior year total per-ANB entitlement  
17 amounts.

18 (2) (a) "District guaranteed tax base ratio" for guaranteed tax base funding for the BASE budget of an  
19 eligible district means the taxable valuation in the previous year of all property in the district, except for property  
20 value disregarded because of protested taxes under 15-1-409(2) or property subject to the creation of a new  
21 school district under 20-6-326, divided by the district's prior year GTBA budget area.

22 (b) "District mill value per ANB", for school facility entitlement purposes, means the taxable valuation  
23 in the previous year of all property in the district, except for property subject to the creation of a new school  
24 district under 20-6-326, divided by 1,000, with the quotient divided by the ANB count of the district used to  
25 calculate the district's prior year total per-ANB entitlement amount.

26 (3) "Facility guaranteed mill value per ANB", for school facility entitlement guaranteed tax base  
27 purposes, means the sum of the taxable valuation in the previous year of all property in the state, multiplied by  
28 140% and divided by 1,000, with the quotient divided by the total state elementary ANB count or the total state

1 high school ANB count used to calculate the elementary school districts' and high school districts' prior year  
2 total per-ANB entitlement amounts.

3 (4) "Guaranteed tax base aid budget area" or "GTBA budget area" means the portion of a district's  
4 BASE budget after the following payments are subtracted:

- 5 (a) direct state aid;
- 6 (b) the total data-for-achievement payment;
- 7 (c) the total quality educator payment;
- 8 (d) the total at-risk student payment;
- 9 (e) the total Indian education for all payment;
- 10 (f) the total American Indian achievement gap payment; and
- 11 (g) the state special education allowable cost payment.

12 (5) (a) "Statewide elementary guaranteed tax base ratio" or "statewide high school guaranteed tax  
13 base ratio", for guaranteed tax base funding for the BASE budget of an eligible district, means the sum of the  
14 taxable valuation in the previous year of all property in the state, multiplied by ~~193% for fiscal year 2018, 216%~~  
15 ~~for fiscal year 2019, 224% for fiscal year 2020, and 232% for fiscal year 2021~~ 250% for fiscal year 2022 and  
16 each succeeding fiscal year and divided by the prior year statewide GTBA budget area for the state elementary  
17 school districts or the state high school districts. The superintendent of public instruction shall increase the  
18 multiplier in this subsection (5)(a) for fiscal years 2024 and subsequent fiscal years as follows:

19 (i) divide 25% of the revenue transferred to the state general fund pursuant to 16-12-111 in the prior  
20 fiscal year by \$500,000 and round to the nearest whole number; and

21 (ii) increase the multiplier in this subsection (5)(a) by the number derived in subsection (5)(a)(i).

22 (b) "Statewide mill value per elementary ANB" or "statewide mill value per high school ANB", for  
23 school retirement guaranteed tax base purposes, means the sum of the taxable valuation in the previous year  
24 of all property in the state, multiplied by 121% and divided by 1,000, with the quotient divided by the total state  
25 elementary ANB count or the total state high school ANB amount used to calculate the elementary school  
26 districts' and high school districts' prior year total per-ANB entitlement amounts."  
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28 COORDINATION SECTION. Section 2. Coordination instruction. If both House Bill No. 303 and

1 [this act] are passed and approved, and if both contain a section amending 20-9-366, then the sections  
 2 amending 20-9-366 are void and 20-9-366 must be amended as follows:

3 **"20-9-366. Definitions.** As used in 20-9-366 through 20-9-371, the following definitions apply:

4 (1) "County retirement mill value per elementary ANB" or "county retirement mill value per high school  
 5 ANB" means the sum of the taxable valuation in the previous year of all property in the county divided by 1,000,  
 6 with the quotient divided by the total county elementary ANB count or the total county high school ANB count  
 7 used to calculate the elementary school districts' and high school districts' prior year total per-ANB entitlement  
 8 amounts.

9 (2) (a) "District guaranteed tax base ratio" for guaranteed tax base funding for the BASE budget of an  
 10 eligible district means the taxable valuation in the previous year of all property in the district, except for property  
 11 value disregarded because of protested taxes under 15-1-409(2) or property subject to the creation of a new  
 12 school district under 20-6-326, divided by the district's prior year GTBA budget area.

13 (b) "District mill value per ANB", for school facility entitlement purposes, means the taxable valuation  
 14 in the previous year of all property in the district, except for property subject to the creation of a new school  
 15 district under 20-6-326, divided by 1,000, with the quotient divided by the ANB count of the district used to  
 16 calculate the district's prior year total per-ANB entitlement amount.

17 (3) "Facility guaranteed mill value per ANB", for school facility entitlement guaranteed tax base  
 18 purposes, means the sum of the taxable valuation in the previous year of all property in the state, multiplied by  
 19 140% and divided by 1,000, with the quotient divided by the total state elementary ANB count or the total state  
 20 high school ANB count used to calculate the elementary school districts' and high school districts' prior year  
 21 total per-ANB entitlement amounts.

22 (4) "Guaranteed tax base aid budget area" or "GTBA budget area" means the portion of a district's  
 23 BASE budget after the following payments are subtracted:

- 24 (a) direct state aid;
- 25 (b) the total data-for-achievement payment;
- 26 (c) the total quality educator payment;
- 27 (d) the total at-risk student payment;
- 28 (e) the total Indian education for all payment;

1 (f) the total American Indian achievement gap payment; and

2 (g) the state special education allowable cost payment.

3 (5) (a) "Statewide elementary guaranteed tax base ratio" or "statewide high school guaranteed tax  
4 base ratio", for guaranteed tax base funding for the BASE budget of an eligible district, means the sum of the  
5 taxable valuation in the previous year of all property in the state, multiplied by ~~193% for fiscal year 2018, 216%~~  
6 ~~for fiscal year 2019, 224% for fiscal year 2020, and 232% for fiscal year 2021~~ and 250% for fiscal year 2022  
7 and 252% for fiscal year 2023 and each succeeding fiscal year and divided by the prior year statewide GTBA  
8 budget area for the state elementary school districts or the state high school districts. The superintendent of  
9 public instruction shall increase the multiplier in this subsection (5)(a) for fiscal years 2024 and subsequent  
10 fiscal years as follows:

11 (i) divide 25% of the revenue transferred to the state general fund pursuant to 16-12-111 in the prior  
12 fiscal year by \$500,000 and round to the nearest whole number; and

13 (ii) increase the multiplier in this subsection (5)(a) by the number derived in subsection (5)(a)(i).

14 (b) "Statewide mill value per elementary ANB" or "statewide mill value per high school ANB", for  
15 school retirement guaranteed tax base purposes, means the sum of the taxable valuation in the previous year  
16 of all property in the state, multiplied by 121% and divided by 1,000, with the quotient divided by the total state  
17 elementary ANB count or the total state high school ANB amount used to calculate the elementary school  
18 districts' and high school districts' prior year total per-ANB entitlement amounts."

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20 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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