

SENATE BILL NO. 225
INTRODUCED BY L. MOSS

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SPECIAL SCHOOL ELECTIONS ON A DATE OTHER THAN THE REGULAR SCHOOL ELECTION DAY IN ORDER FOR THE ELECTORS TO CONSIDER A PROPOSITION REQUESTING ADDITIONAL FUNDING; AMENDING SECTION 20-20-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY PROVISION."

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

Section 1. Section 20-20-105, MCA, is amended to read:

"20-20-105. Regular school election day and special school elections -- limitation -- exception.

(1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (4), THE first Tuesday after the first Monday of May of each year is the regular school election day. Except as provided in ~~subsection~~ subsections (3) and (4), a proposition requesting additional funding under 20-9-353 may be submitted to the electors only once each calendar year on the regular school election day.

(2) Subject to the provisions of subsection (1), special school elections may be conducted at times determined by the trustees.

(3) In the event of an unforeseen emergency occurring on the date scheduled for the funding election pursuant to subsection (1), the district will be allowed to reschedule the election for a different day of the calendar year. As used in this section, "unforeseen emergency" has the meaning provided in 20-3-322(5).

(4) In years when the legislature meets in regular session or in a special session that affects school funding, the trustees may order ~~an~~ THE election on a date other than the regular school election day in order for the electors to consider a proposition requesting additional funding under 20-9-353."

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

NEW SECTION. SECTION 3. EXTENSION OF SCHOOL ELECTION DEADLINES -- APPLICABILITY. IN ORDER TO ALLOW FOR THE MORE ORDERLY AND EFFICIENT CONDUCT OF THE REGULAR SCHOOL ELECTIONS SCHEDULED FOR MAY 8, 2007, IT MAY NOT BE POSSIBLE TO COMPLY WITH CERTAIN STATUTORY DEADLINES RELATING TO A SCHOOL ELECTION. THEREFORE, IN 2007 ONLY, A SCHOOL DISTRICT MAY LIMIT THE REGULAR SCHOOL ELECTION SCHEDULED FOR MAY 8,

2007, TO TRUSTEE ELECTIONS ONLY AND MAY RESCHEDULE A SINGLE GENERAL FUND OPERATING LEVY ELECTION AT ANY TIME PRIOR TO THE ADOPTION OF A FINAL BUDGET PURSUANT TO 20-9-131. FOR ANY LEVY ELECTION RESCHEDULED UNDER THIS SECTION, A RESOLUTION CALLING FOR THE ELECTION MAY NOT BE ADOPTED LATER THAN 20 DAYS BEFORE THE SCHEDULED ELECTION AND FINAL BALLOT LANGUAGE MAY NOT BE ADOPTED LATER THAN 10 DAYS BEFORE THE DATE OF THE ELECTION. IN ADDITION, ALL STATUTORY DEADLINES FOR THE MAY 2007 REGULAR SCHOOL ELECTION ARE EXTENDED TO APRIL 27, 2007.

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