

SENATE BILL NO. 213

INTRODUCED BY F. THOMAS

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A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO MONTANA SCHOOL SAFETY; ALLOWING SCHOOL DISTRICTS TEMPORARY AUTHORITY TO TRANSFER FUNDS INTO THE BUILDING RESERVE FUND FOR SCHOOL SAFETY AND SECURITY IMPROVEMENTS; AMENDING SECTION 20-1-401, MCA; AMENDING SECTIONS 9 AND 12, CHAPTER 364, LAWS OF 2013; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 20-1-401, MCA, is amended to read:

"20-1-401. Disaster drills to be conducted regularly -- districts to identify disaster risks and adopt school safety plan. (1) As used in this part, "disaster" means the occurrence or imminent threat of damage, injury, or loss of life or property. Disaster drills must be conducted regularly in accordance with this part.

(2) A board of trustees shall identify the local hazards that exist within the boundaries of its school district and design and incorporate drills in its school safety plan or emergency operations plan to address those hazards.

(3) A board of trustees shall adopt a school safety plan ~~on or before July 1, 2014,~~ or emergency operations plan that addresses issues of school safety relating to school buildings and facilities, communications systems, and school grounds with the input from the local community and that addresses coordination on issues of school safety, if any, with the county interdisciplinary child information and school safety team provided for in 52-2-211. The trustees shall certify to the office of public instruction ~~on or before July 1, 2014,~~ that a school safety plan or emergency operations plan has been adopted. The trustees shall review the school safety plan or emergency operations plan periodically and update the plan as determined necessary by the trustees based on changing circumstances pertaining to school safety. Once the trustees have made the certification to the office of public instruction, the trustees may transfer funds pursuant to [section 2] to make improvements to school safety and security."

Section 2. Section 9, Chapter 364, Laws of 2013, is amended to read:

"Section 9. Transfer of funds -- improvements to school safety and security. (1) ~~For fiscal year 2013 through fiscal year 2015 only,~~ a A school district may transfer state or local revenue from any budgeted or

1 nonbudgeted fund, other than the debt service fund or retirement fund, to its building reserve fund in an amount
2 not to exceed the school district's estimated costs of improvements to school safety and security as follows:

3 (a) planning for improvements to school safety, including but not limited to the cost of services provided
4 by architects, engineers, and other consultants;

5 (b) installing or updating locking mechanisms and ingress and egress systems at public school access
6 points, including but not limited to systems for exterior egress doors and interior passageways and rooms, using
7 contemporary technologies;

8 (c) installing or updating bullet-resistant windows and barriers; and

9 (d) installing or updating emergency response systems using contemporary technologies.

10 (2) Any transfers made pursuant to subsection (1) are not considered expenditures to be applied against
11 budget authority. Any revenue transfers that are not encumbered for expenditures in compliance with subsection
12 (1) by June 30, ~~2015~~ 2019, must be transferred back to the originating fund from which the revenue was
13 transferred.

14 (3) The intent of this section is to increase the flexibility and efficiency of school districts without an
15 increase in local taxes. In furtherance of this intent, if transfers of funds are made from any school district fund
16 supported by a nonvoted levy, the district may not increase its nonvoted levy for the purpose of restoring the
17 transferred funds."

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19 **Section 3.** Section 12, Chapter 364, Laws of 2013, is amended to read:

20 "**Section 12. Termination.** [Section 9] terminates June 30, ~~2015~~ 2019."

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

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