HOUSE BILL NO. 540
INTRODUCED BY S. BERGLEE

A BILL FOR AN ACT ENTITLED: “AN ACT REVISING LAWS RELATED TO SCHOOL DISTRICT BOUNDARY ADJUSTMENTS; REQUIRING THE BOUNDARIES OF AN ELEMENTARY SCHOOL DISTRICT TO BE CONTAINED ENTIRELY WITHIN THE SAME HIGH SCHOOL DISTRICT; AUTHORIZING THE COUNTY SUPERINTENDENT OF SCHOOLS TO ADJUST HIGH SCHOOL DISTRICT BOUNDARIES; AMENDING SECTIONS 20-6-215 AND 20-6-322, MCA; AND PROVIDING AN EFFECTIVE DATE.”

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

Section 1. Section 20-6-215, MCA, is amended to read:

“20-6-215. Review of boundaries by county superintendent. (1) A county superintendent of schools shall, at least once every 3 years, review the existing elementary school district boundaries in the county. The review and any recommended boundary changes must include information that the territory proposed for transfer complies with the provisions of 20-6-105(1) through (3) and must be presented by the superintendent at a hearing conducted under 20-6-105(6). If the superintendent orders a boundary change after the hearing, the superintendent shall forward copies of the review and the testimony at the hearing to the board of county commissioners and the state superintendent of public instruction.

(2) Each elementary school district boundary must be contained entirely within the same high school district boundary. A high school district boundary may be adjusted pursuant to 20-6-322(2) to comply with this subsection.”

Section 2. Section 20-6-322, MCA, is amended to read:

“20-6-322. Boundary adjustments in high school districts. (1) The trustees of a high school district may, by resolution, request a change in the boundaries between their district and an adjacent district. If the trustees request a transfer by resolution, the territory proposed for transfer must conform to the provisions of 20-6-105(1) and (2) and the resolution must include information outlined in 20-6-105(3). The resolution must be
addressed to the county superintendent of schools who, upon receiving the resolution, shall proceed to a
hearing as provided in 20-6-105(6).

(2) (a) During a review of elementary school district boundaries pursuant to 20-6-215, the county
superintendent of schools shall adjust a high school district boundary to comply with the requirements of 20-6-
215(2). The review and any proposed boundary changes must include information that the territory proposed
for transfer complies with the provisions of 20-6-105(1) through (3) and must be presented to the county
superintendent at a hearing conducted pursuant to 20-6-105(6).

(b) If the county superintendent orders a boundary change following the required hearing, the county
superintendent shall forward copies of the review and the testimony received at the hearing to the board of
county commissioners and the superintendent of public instruction.

(3) The county superintendent may adjust borders to a contiguous high school district in an adjacent
county."

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2021.

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