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SENATE BILL NO. 129

INTRODUCED BY R. TEMPEL, T. WELCH, C. KEOGH, S. O'BRIEN, E. MCCLAFFERTY, M. LANG, J.

KASSMIER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SCHOOL LAWS RELATED TO COMPULSORY ATTENDANCE; ALIGNING COMPULSORY ATTENDANCE WITH ENROLLMENT IN A PUBLIC SCHOOL RATHER THAN AGE; AMENDING SECTION 20-5-103, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 20-5-103, MCA, is amended to read:

"20-5-103. Compulsory attendance upon enrollment in public schools and excuses. (1) Except as provided in subsection (2), any parent, guardian, or other person who is responsible for the care of any child who is 7 years of age or older prior to the first day of school in any school fiscal year enrolled in a public school shall cause the child to attend the school in which the child is enrolled ~~for the school term and each school day in the term prescribed by the trustees of the district~~ until the later of the following dates:

- (a) ~~the child's 16th birthday; or~~
- (b) ~~the date of completion of the work of the 8th grade~~ consistent with policies adopted by the trustees of the district for as long as the child remains enrolled in the school.

(2) The provisions of subsection (1) do not apply in the following cases:

- (a) The child has been excused from compulsory enrollment under one of the conditions specified in 20-5-102, including when the child has been withdrawn from enrollment by the parent, guardian, or other person who is responsible for the care of the child and enrolled in a nonpublic or home school that complies with the provisions of 20-5-109.
- (b) The child is absent because of illness, bereavement, or other reason prescribed by the policies of the trustees.
- (c) The child has been suspended or expelled under the provisions of 20-5-202.
- (d) The child is excused pursuant to 20-7-120."

Amendment - 1st Reading/2nd House-blue - Requested by: Fred Anderson - (H) Education

68th Legislature

Drafter: Pad McCracken, 406-444-3595

SB0129.001.001

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2 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2023.

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- END -

AMEND