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As of: 2020/06/02 06:47:44

Drafter: Pad McCracken, 406-444-3595

67th Legislature

PD 0013

**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SCHOOL FUNDING LAWS TO CLARIFY THAT SCHOOL DISTRICTS CAN USE TRANSFERRED FUNDS, STATE MAJOR MAINTENANCE AID, AND PROCEEDS FROM THE MAJOR MAINTENANCE LEVY FOR LEAD REMEDIATION AND OTHER EMERGENT HEALTH AND SAFETY ISSUES; AMENDING SECTION 20-9-236, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 20-9-236, MCA, is amended to read:

"20-9-236. Transfer of funds -- improvements to school safety and security. (1) A school district

may transfer state or local revenue from any budgeted or nonbudgeted fund, other than the debt service fund or retirement fund, to its building reserve fund in an amount not to exceed the school district's estimated costs of improvements to school and student safety and security as follows:

(a) planning for improvements to and maintenance of school and student safety, including but not limited to the cost of staffing for or services provided by architects, engineers, school resource officers, counselors, and other staff or consultants assisting the district with improvements to school and student safety and security;

(b) programs to support school and student safety and security, including but not limited to active shooter training, threat assessments, and restorative justice;

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

(d) installing or updating bullet-resistant windows and barriers; ~~and~~

(e) installing or updating emergency response systems using contemporary technologies; ~~and~~

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(f) remediation, repairs, or improvements related to emergent health and safety issues, including issues related to any rules adopted by the department of public health and human services under 50-1-206.

(2) Any transfers made pursuant to subsection (1) are not considered expenditures to be applied against budget authority. Any revenue transfers that are not encumbered for expenditures in compliance with subsection (1) within 2 full school fiscal years after the funds are transferred must be transferred back to the originating fund from which the revenue was transferred.

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

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

- END -

Commented [MP1]: Clarifies that schools can use major maintenance aid money for lead remediation, etc under recently adopted rules. 50-1-206 gives DPHHS broad authority to adopt health and safety standards for schools.