

1 HOUSE BILL NO. 707  
2 INTRODUCED BY J. ETCHART, T. MCGILLVRAY, B. USHER, K. ZOLNIKOV, K. SEEKINS-CROWE, C.  
3 FRIEDEL, S. ESSMANN, M. YAKAWICH, G. PARRY, G. OBLANDER, L. DEMING, N. HASTINGS  
4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE REQUIREMENTS FOR CREATION  
6 OF A NEW HIGH SCHOOL DISTRICT; AUTHORIZING MULTIPLE ADJACENT ELEMENTARY DISTRICTS  
7 WITH AT LEAST 1,000 COMBINED ANB TO CONTRACT FOR THE FORMATION OF A NEW HIGH SCHOOL  
8 DISTRICT ON APPROVAL OF THE ELECTORS OF EACH OF THE ELEMENTARY DISTRICTS; PROVIDING  
9 FOR THE PASSAGE OF A BOND TO BUILD OR OUTFIT A HIGH SCHOOL BUILDING; PROVIDING  
10 PROCEDURES TO ESTABLISH A BUDGET AND PROVIDE THE FUNDING OF THE NEW HIGH SCHOOL  
11 DISTRICT; DELAYING THE CONSTRUCTION OF APPROVED HIGH SCHOOL FACILITIES UNTIL JULY 1,  
12 2025; REQUIRING THE FORMER HIGH SCHOOL DISTRICT TO PROVIDE INSTRUCTION FOR A  
13 TRANSITION PERIOD; CLARIFYING RESPONSIBILITIES AND REQUIREMENTS THROUGH THE  
14 PROCESS OF ESTABLISHING A NEW HIGH SCHOOL DISTRICT; AMENDING SECTIONS 20-6-104, 20-9-  
15 366, 20-9-439, AND 20-9-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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19 NEW SECTION. Section 1. Procedure for two or more elementary school districts to create new  
20 high school district -- trustee resolution. (1) Two or more existing elementary districts that are adjacent to  
21 each other and that are not part of a unified school system or governed by a joint board with a high school  
22 district may contract to create a new high school district under the procedures outlined in [section 2] and this  
23 section only if the combined total of the ANB in the elementary districts, as calculated under the provisions of  
24 20-9-311, is at least 1,000.

25 (2) The creation of a new high school district may be requested by the trustees of each existing  
26 elementary district through passage of a resolution that includes the information outlined in 20-6-105(3) and  
27 requests the county superintendent to order an election to allow the electors of each elementary district to

**Amendment - 1st Reading/2nd House-blue - Requested by: Daniel Salomon - (S) Finance and Claims**

- 2023

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Drafter: Laura Sankey Keip, 406-444-4410

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1 (i) the limitation on the amount levied is calculated using the ANB and the maximum general fund  
2 budget for the districts that are being combined; and

3 (ii) the proposition must be submitted to the qualified electors in the combined district.

4 (d) The levy for transition costs may not be considered as outstanding indebtedness for the  
5 purpose of calculating the limitation in 20-9-406.

6 (5) (a) A subfund in the building reserve fund must be created for:

7 (i) the funds transferred to the building reserve fund for school safety and security pursuant to 20-  
8 9-236; and

9 (ii) funds generated by a voter-approved levy for school and student safety and security pursuant  
10 to subsection (5)(b) of this section.

11 (b) A voted levy may be imposed with the approval of the qualified electors of the district to provide  
12 funding for improvements to school and student safety and security that meet any of the criteria set forth in 20-  
13 9-236(1)(a) through (1)(e). A voted levy for school and student safety and security may not be considered as  
14 outstanding indebtedness for the purpose of calculating the limitation in 20-9-406. The election for a voted levy  
15 for school and student safety and security must be conducted in accordance with the school election laws of  
16 this title, and the electors qualified to vote in the election must be qualified under the provisions of 20-20-301.  
17 The ballot for a building reserve proposition must be substantially in compliance with 15-10-425."

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19 **NEW SECTION. Section 6. Delay in facility construction or renovation.** If a new high school  
20 district is created pursuant to [section 1], the district may not begin to undertake the activities for which the  
21 general obligation bond was approved pursuant to [section 1(3)], including building, altering, repairing, buying,  
22 furnishing, equipping, or obtaining a water supply for a school to accommodate high school students, before  
23 July 1, 2025. The requirements of this section do not apply to the purchase or procurement of land.

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25 **NEW SECTION. Section 7. Codification instruction.** [Section 1] is intended to be codified as an  
26 integral part of Title 20, chapter 6, part 3, and the provisions of Title 20, chapter 6, part 3, apply to [section 1].

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