

HOUSE BILL NO. 543

INTRODUCED BY J. HINKLE, C. KNUDSEN, K. ZOLNIKOV, L. BREWSTER, K. SEEKINS-CROWE, J.

ETCHART

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE INFORMATION THAT MUST BE INCLUDED ON THE BALLOT FOR A BOND ELECTION AND A MILL LEVY ELECTION; REQUIRING THE BALLOT FOR A BOND ELECTION TO INCLUDE THE ESTIMATED ADDITIONAL PROPERTY TAXES IMPOSED ON A RESIDENCE; REQUIRING THE BALLOT FOR A BOND ELECTION AND A MILL LEVY ELECTION TO INCLUDE A STATEMENT ABOUT RENTAL COSTS; AMENDING SECTIONS 15-10-425 AND 20-9-426, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

NEW SECTION. **Section 1. Bond election -- impact on value.** The form of the ballot for a bond election must include:

- (1) the statement that "an increase in property taxes may lead to an increase in rental costs"; and
- (2) a statement of the impact of the election on homes valued at \$100,000, \$300,000, and \$600,000 in terms of actual dollars in additional property taxes that would be imposed in the first year on residences with those values if the bond were to pass. The ballot may also include a statement of the impact of the election on homes of any other value in the district, if appropriate.

Section 2. Section 15-10-425, MCA, is amended to read:

"15-10-425. Mill levy election. (1) A county, consolidated government, incorporated city, incorporated town, school district, or other taxing entity may impose a new mill levy, increase a mill levy that is required to be submitted to the electors, or exceed the mill levy limit provided for in 15-10-420 by conducting an election as provided in this section.

(2) An election pursuant to this section must be held in accordance with Title 13, chapter 1, part 4 or 5, or Title 20 for school elections, whichever is appropriate to the taxing entity. The governing body shall

1 pass a resolution, shall amend its self-governing charter, or must receive a petition indicating an intent to
2 impose a new levy, increase a mill levy, or exceed the current statutory mill levy provided for in 15-10-420 on
3 the approval of a majority of the qualified electors voting in the election. The resolution, charter amendment, or
4 petition must include:

5 (a) the specific purpose for which the additional money will be used;

6 (b) either:

7 (i) the specific amount of money to be raised and the approximate number of mills to be imposed;

8 or

9 (ii) the specific number of mills to be imposed and the approximate amount of money to be raised;

10 and

11 (c) whether the levy is permanent or the durational limit on the levy.

12 (3) Notice of the election must be prepared by the governing body and given as provided in 13-1-
13 108. The form of the ballot must reflect the content of the resolution or charter amendment and must include:

14 (a) the statement that "an increase in property taxes may lead to an increase in rental costs"; and

15 (b) a statement of the impact of the election on a home valued at \$100,000 and a home valued at
16 \$200,000 in the district in terms of actual dollars in additional property taxes that would be imposed on
17 residences with those values if the mill levy were to pass. The ballot may also include a statement of the impact
18 of the election on homes of any other value in the district, if appropriate.

19 (4) If the majority voting on the question are in favor of the additional levy, the governing body is
20 authorized to impose the levy in either the amount or the number of mills specified in the resolution or charter
21 amendment.

22 (5) A governing body, as defined in 7-6-4002, may reduce an approved levy in any fiscal year
23 without losing the authority to impose in a subsequent fiscal year up to the maximum amount or number of mills
24 approved in the election. However, nothing in this subsection authorizes a governing body to impose more than
25 the approved levy in any fiscal year or to extend the duration of the approved levy."

26
27 **Section 3.** Section 20-9-426, MCA, is amended to read:

28 **"20-9-426. Preparation and form of ballots for bond election.** (1) The school district shall cause

1 ballots to be prepared for all bond elections.

2 (2) All ballots must be substantially in the following form:

3 OFFICIAL BALLOT

4 SCHOOL DISTRICT BOND ELECTION

5 INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words
6 "BONDS--YES" if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or
7 similar mark in the square before the words "BONDS--NO".

8 Shall the board of trustees be authorized to issue and sell (state type of bonds here: general obligation,
9 oil and natural gas revenue, oil and natural gas revenue for which a tax deficiency is pledged, or impact aid
10 revenue) bonds of this school district in the amount of dollars (\$), payable semiannually, during
11 a period not more than years, for the purpose (here state the purpose the same way as
12 in the notice of election)?

13 If this bond is passed, based on the current taxable value of the school district, the property taxes on a
14 home with an assessed market value for tax purposes of \$100,000 would increase by \$..... in the first year,
15 of \$300,000 would increase by \$..... in the first year, and of \$600,000 would increase by \$..... in the first
16 year. An increase in property taxes may lead to an increase in rental costs.

17 ☐ BONDS -- YES.

18 ☐ BONDS -- NO."

19

20 NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an
21 integral part of Title 13, chapter 1, part 4, and the provisions of Title 13, chapter 1, part 4, apply to [section 1].

22

23 NEW SECTION. Section 5. Applicability. [This act] applies to mill levy elections and bond elections
24 held on or after [the effective date of this act].

25 - END -