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OPI 2 - School Election Incentive Program

*** Bill No. ***

Introduced By *****

A Bill for an Act entitled: "An Act establishing a school election incentive program for counties to administer school elections; providing for grants to participating counties; exempting participating school districts from being charged election costs; specifying requirements; providing an appropriation; providing an effective date; and providing a termination date."

WHEREAS, to increase voter turnout and trust in the integrity of school elections, legislators and voters have significant interest in requiring counties to conduct school elections and in combining school elections with the statewide general election; and

WHEREAS, before providing for these changes, some counties and school districts with less experience with the county administering school elections, may benefit from a pilot incentive program that would encourage them to gain more experience; and

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WHEREAS, the secretary of state, office of public instruction, and legislature would benefit from counties and school districts sharing their experiences and recommendations; and

WHEREAS, a voluntary and temporary incentive program would facilitate these benefits.

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. School election incentive program for counties to administer school elections.** (1)

The office of public instruction shall establish an incentive program for counties to administer regular school elections in May 2024.

(2) (a) The office of public instruction shall administer the incentive program under this section as a grant program and award grants to counties from funding appropriated by the legislature for the purposes of this section.

(b) The incentive program shall provide that, subject to subsection (2) (e):

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(i) counties that choose to participate could use the grant money to offset personnel, training, and operating costs associated with conducting one or more school elections under this section; and

(ii) school districts that choose to participate would be exempt from the provisions of 20-20-417(3) for the May 2024 school election and would not be charged for the cost of the county administering the election.

(c) The maximum amount available to a county must be determined by dividing the total amount appropriated by the legislature for the purposes of this section by the total number of registered electors in the state and multiplying the result by the number of registered electors in each school district for which the county is administering an election.

(d) Subject to subsection (2)(e), the office of public instruction shall grant to each participating county the amount requested by the county to administer one or more school elections pursuant to this section, up to the maximum amount available under subsection (2)(b).

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(d) To the greatest extent possible, grant funding must be provided to the county before the costs are incurred based on county estimates but may be paid as reimbursements if necessary.

(e) The office of public instruction may consult with county and school district stakeholders to identify which counties and school districts could benefit most from the experience offered under this incentive program and limit eligibility to opt into the program to those counties and school districts.

(3) To receive a grant under this section and subject to subsection (2) (e), a county:

(a) must receive a request from one or more school districts within the county to administer the school's regular election in May 2024;

(b) may administer the school election as a mail ballot election or as a polling place election;

(c) must report to the office of public instruction in a format prescribed by the office the following information;

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(i) how the election was conducted, what costs were incurred, and information about the personnel and training that was required;

(ii) recommendations about how to improve county administration of school elections if counties were required to administer all school elections on the regular school election day in May;

(iii) recommendations about how best to address the challenges for counties if the school elections were combined with the statewide general election in even-numbered years, and estimates about the additional costs or savings to counties and school districts; and

(iv) any other information the county deems appropriate to collect and report pursuant to this program; and

(d) must provide to the office of public instruction an accounting of how the grant money was spent and return to the office any amount that is not spent pursuant to this section.

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(4) Subject to subsection (2)(e), a school district that chooses to participate in the incentive program under this section:

(a) must agree that the school election be conducted as a polling place election or as a mail ballot election as determined by the county; and

(b) must provide a report to the office of public instruction that includes findings and recommendations it deems relevant to requiring counties to administer school elections and combining school elections with the statewide general election.

(5) The office of public instruction shall:

(a) establish the guidelines, procedures, and timelines necessary to administer the incentive program;

(b) compile the information collected pursuant to this section; and

(c) report the compiled findings and recommendations to the secretary of state, the state administration and veterans' affairs interim committee, and the education interim committee by July 1, 2024.

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(6) If there is a school elections task force staffed by the office of public instruction, the findings and recommendations must be reported to the task force in a manner determined by the office of public instruction before July 1, 2024.

NEW SECTION. **Section 2. Appropriation.** (1) For the fiscal year ending June 30, 2024, there is appropriated \$xxx,xxx from the general fund to the office of public instruction for the school election incentive program provided for in [section 1].

[Notes about determining the proper appropriation amount:
If possible, it would be helpful to gather cost information from a few counties and school districts that have had school elections by mail and by polling place and use the information to estimate costs, with the understanding we will need to make assumptions about which counties and school districts would be eligible for and would opt into the program. Also, an appropriation number could be put

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into the bill as a placeholder while this cost information is gathered and the amount would be amended if necessary.]

NEW SECTION. **Section 3. {standard} Effective date.**

[This act] is effective July 1, 2023.

NEW SECTION. **Section 4. {standard} Termination.**

[This act] terminates June 30, 2024.

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