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Revised as of 1/10/2023 - 9:35 a.m.

OPI_3_Boundary Accuracy Project INFORMATION

*** Bill No. ***

Introduced By *****

A Bill for an Act entitled: "An Act revising the maintenance of school district boundary information; specifying duties for the state library, the secretary of state's office, county election administrators, and county superintendents related to maintaining the accuracy of school district boundary information for the purposes of election administration; providing an appropriation; amending sections 13-1-204, 20-3-205, and 20-6-103, MCA; and providing an effective date."

WHEREAS, there is significant legislative and voter interest in providing that school elections be combined with general elections and be administered by counties; and

WHEREAS, it is essential that school district boundary information be reviewed, verified as accurate, and kept updated so that election administrators may accurately determine the districts in which an elector is eligible to vote.

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

NEW SECTION. **Section 1. School district boundary information and statewide database.** (1) The state library shall maintain a statewide geospatial database that includes school district boundary information.

(2) To maintain the accuracy of school district boundary information, the state library shall develop guidance for and assist county superintendents with reviewing, verifying, and updating school district boundary information, as required under 20-6-103, and ensure that the school district boundaries are accurately represented in the state library's statewide geospatial database.

(3) The state library shall provide available geospatial school district boundary information to the secretary of state, county election administrators, and school districts upon request.

Section 2. Section 20-3-205, MCA, is amended to read:
"20-3-205. **Powers and duties.** (1) The county superintendent has general supervision of the schools of

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the county within the limitations prescribed by this title and shall perform the following duties or acts:

(a) determine, establish, and reestablish trustee nominating districts in accordance with the provisions of 20-3-352, 20-3-353, and 20-3-354;

(b) administer and file the oaths of members of the boards of trustees of the districts in the county in accordance with the provisions of 20-3-307;

(c) register the teacher or specialist certificates or emergency authorization of employment of any person employed in the county as a teacher, specialist, principal, or district superintendent in accordance with the provisions of 20-4-202;

(d) file a copy of the audit report for a district in accordance with the provisions of 20-9-203;

(e) classify districts in accordance with the provisions of 20-6-201 and 20-6-301;

(f) keep a transcript and maintain the accuracy of the district boundaries of boundary information within the county in accordance with the provisions of 20-6-103;

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(g) fulfill all responsibilities assigned under the provisions of this title regulating the organization, alteration, or abandonment of districts;

(h) act on any unification proposition and, if approved, establish additional trustee nominating districts in accordance with 20-6-312 and 20-6-313;

(i) estimate the average number belonging (ANB) of an opening school in accordance with the provisions of 20-6-502, 20-6-503, 20-6-504, or 20-6-506;

(j) process and, when required, act on school isolation applications in accordance with the provisions of 20-9-302;

(k) complete the budgets, compute the budgeted revenue and tax levies, file final budgets and budget amendments, and fulfill other responsibilities assigned under the provisions of this title;

(l) monthly, unless otherwise provided by law, order the county treasurer to apportion state money, county school money, and any other school money subject to apportionment in accordance with the provisions of 20-9-212, 20-9-347, 20-10-145, or 20-10-146;

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(m) act on any request to transfer average number belonging (ANB) in accordance with the provisions of 20-9-313(1)(c);

(n) calculate the estimated budgeted general fund sources of revenue in accordance with the general fund revenue provisions of the general fund part of this title;

(o) compute the revenue and compute the district and county levy requirements for each fund included in each district's final budget and report the computations to the board of county commissioners in accordance with the provisions of the general fund, transportation, bonds, and other school funds parts of this title;

(p) file and forward bus driver certifications, transportation contracts, and state transportation reimbursement claims in accordance with the provisions of 20-10-103, 20-10-143, or 20-10-145;

(q) for districts that do not employ a district superintendent or principal, recommend library book and textbook selections in accordance with the provisions of 20-7-204 or 20-7-602;

(r) notify the superintendent of public instruction of a textbook dealer's activities when required under the

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provisions of 20-7-605 and otherwise comply with the textbook dealer provisions of this title;

(s) act on district requests to allocate federal money for indigent children for school food services in accordance with the provisions of 20-10-205;

(t) perform any other duty prescribed from time to time by this title, any other act of the legislature, the policies of the board of public education, the policies of the board of regents relating to community college districts, or the rules of the superintendent of public instruction;

(u) administer the oath of office to trustees without the receipt of pay for administering the oath;

(v) keep a record of official acts, preserve all reports submitted to the superintendent under the provisions of this title, preserve all books and instructional equipment or supplies, keep all documents applicable to the administration of the office, and surrender all records, books, supplies, and equipment to the next superintendent;

(w) within 90 days after the close of the school fiscal year, publish an annual report in the county newspaper

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stating the following financial information for the school fiscal year just ended for each district of the county:

(i) the total of the cash balances of all funds maintained by the district at the beginning of the year;

(ii) the total receipts that were realized in each fund maintained by the district;

(iii) the total expenditures that were made from each fund maintained by the district; and

(iv) the total of the cash balances of all funds maintained by the district at the end of the school fiscal year; and

(x) hold meetings for the members of the trustees from time to time at which matters for the good of the districts must be discussed.

(2) (a) When a district in one county annexes a district in another county, the county superintendent of the county where the annexing district is located shall perform the duties required by this section.

(b) When two or more districts in more than one county consolidate, the duties required by this section must be performed by the county superintendent designated in the same manner as other county officials in 20-9-202."

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{Internal References to 20-3-205: None}

Section 3. Section 20-6-103, MCA, is amended to read:

"20-6-103. Permanent record of district boundaries. (1)

The board of county commissioners shall maintain a permanent record that plainly and definitely describes the boundaries of each district within the county. The county superintendent shall keep a transcript of the record in the superintendent's office and is responsible for keeping the record current.

(2) If the county superintendent determines that the boundaries of any elementary district or high school district are in conflict or are incorrectly described, the superintendent shall change, harmonize, and describe the boundaries accurately and shall make a report of the boundary adjustments to the board of county commissioners. When the board of county commissioners approves a district boundary report submitted by the county superintendent, the boundaries are the legal boundaries and description of the district within the county. Whenever district boundaries are clarified under this section, the county superintendent

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shall supply the trustees of the district with the legal descriptions of the boundaries of their district.

(3) The county superintendent shall notify the state library of any changes to school district boundaries within 10 days of the change and shall at least annually review and verify that boundary information is provided to the state library so that the boundary may be accurately represented in the state library's geospatial database pursuant to [section 1]."

{Internal References to 20-6-103: None}

NEW SECTION. Section 4. Appropriations. (1) For the biennium beginning July 1, 2023, there is appropriated \$xxxxx from the state general fund to the state library. The money must be used to establish guidelines that will help county superintendents with reviewing, verifying, and updating school district boundary information and providing that information to the state library so that the information may be accurately represented in the statewide geospatial database pursuant to [section 1].

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NEW SECTION. **Section 5. {standard} Codification.**

[Section 1] is intended to be codified as an integral part of Title 22, chapter 1, part 2, and the provisions of Title 22, chapter 1, part 2, apply to [section 1].

NEW SECTION. **Section 6. {standard} Effective date.**

[This act] is effective July 1, 2023.

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