

SENATE BILL NO. 130

INTRODUCED BY D. SALOMON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SCHOOL ELECTION LAWS; EXTENDING THE TIME
5 THAT TRUSTEES HAVE TO ISSUE A CERTIFICATE OF ELECTION AND HOLD AN ORGANIZATIONAL
6 MEETING; AMENDING ~~SECTION~~ SECTIONS 20-3-321 AND 20-20-416, MCA; AND PROVIDING AN
7 EFFECTIVE DATE AND AN APPLICABILITY DATE."
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11 **SECTION 1. SECTION 20-3-321, MCA, IS AMENDED TO READ:**

12 **"20-3-321. Organization and officers.** (1) The trustees of each district shall annually organize as a
13 governing board of the district after the regular school election day and after the issuance of the election
14 certificates to the newly elected trustees, but not later than ~~45~~ 25 days after the election. In order to organize, the
15 trustees of the district must be given notice of the time and place where the organization meeting will be held, and
16 at the meeting they shall choose one of their number as the presiding officer. In addition, except for the trustees
17 of a high school district operating a county high school, the trustees shall employ and appoint a competent
18 person, who is not a member of the trustees, as the clerk of the district. The trustees of a high school district
19 operating a county high school shall appoint a secretary, who must be a member of the board.

20 (2) The presiding officer of the trustees of any district shall serve until the next organization meeting and
21 shall preside at all the meetings of the trustees in accordance with the customary rules of order. The presiding
22 officer shall perform the duties prescribed by this title and any other duties that normally pertain to a presiding
23 officer.

24 (3) The presiding officer of a board of trustees of an elementary district may be any trustee of the board,
25 including an additional trustee as provided for in 20-3-352(2). If an additional trustee is chosen to serve as the
26 presiding officer of the board of trustees of an elementary district described in 20-3-351(1)(a), the additional
27 trustee may not vote on issues pertaining only to the elementary district."
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29 **Section 2.** Section 20-20-416, MCA, is amended to read:

30 **"20-20-416. Certificate of election.** After the canvass of the total votes cast, the trustees shall issue

1 a certificate of election. In the case of a trustee election, either by vote or by acclamation, the certificate must be
2 issued to the elected trustee and the county superintendent designating the term of the trustee position to which
3 the trustee has been elected. In the case of an election on a proposition, the trustees shall issue a certificate
4 specifying the outcome of the election. The certificate must be issued to the official or public body that ordered
5 the election within ~~45~~ 25 days after the election. When the election has been ordered by resolution of the trustees,
6 the canvassed results must be published immediately in a newspaper that will give notice to the largest number
7 of people of the district."

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9 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2019.

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11 NEW SECTION. **Section 4. Applicability.** [This act] applies to school years beginning on or after July
12 1, 2019.

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