



AN ACT REVISING THE PROCESS FOR THE BOARD OF PUBLIC EDUCATION TO PRESENT PROPOSED ACCREDITATION STANDARDS TO A LEGISLATIVE COMMITTEE; CLARIFYING THE PROCESS FOR CONDUCTING AN ANALYSIS OF THE FISCAL IMPACT OF THE PROPOSED ACCREDITATION STANDARDS; REQUIRING ACCREDITATION STANDARDS PROPOSED DURING THE INTERIM WITH A PROJECTED FISCAL IMPACT TO BE INCLUDED IN THE OFFICE OF PUBLIC INSTRUCTION'S EXECUTIVE BUDGET; PROVIDING FOR A DELAYED IMPLEMENTATION DATE FOR THE BOARD OF PUBLIC EDUCATION'S PROPOSED STANDARDS EXCEPT FOR THOSE WITH NO PROJECTED FISCAL IMPACT; REQUIRING THE BOARD TO PRESENT ACCREDITATION STANDARDS PROPOSED DURING A REGULAR LEGISLATIVE SESSION DIRECTLY TO THE JOINT APPROPRIATIONS SUBCOMMITTEE THAT CONSIDERS EDUCATION; AND AMENDING SECTION 20-7-101, MCA.

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

Section 1. Section 20-7-101, MCA, is amended to read:

"20-7-101. Standards of accreditation. (1) Standards of accreditation for all schools must be adopted by the board of public education upon the recommendations of the superintendent of public instruction.

(2) (a) Prior to adoption or amendment of any accreditation standard, the board shall submit each proposal to the education and local government interim committee for review during periods when the legislature is not in regular session or to the joint appropriations subcommittee that considers education during any regular session of the legislature.

(b) (i) The During periods when the legislature is not in regular session, the interim committee shall request a fiscal analysis to be prepared by the legislative fiscal division perform an initial review of the board's proposal to determine whether the proposed adoption or amendment is likely to result in a projected fiscal impact that warrants a fiscal analysis.

(ii) If the interim committee determines that the board's proposal warrants a fiscal analysis, the interim committee shall select and contract with an independent third party qualified to perform the analysis. The fiscal

analysis must comply with the statutory requirements for fiscal note contents provided in 5-4-205.

(iii) The interim committee shall present the fiscal analysis legislative fiscal division shall provide its analysis to the interim committee and to the office of budget and program planning to be used in the preparation of the executive budget. Any projected fiscal impact identified by the fiscal analysis must be included as a present law adjustment in the office of public instruction's budget request pursuant to 17-7-112 for presentation to the legislature in the next regular session after completion of the fiscal analysis.

(c) During periods when the legislature is in regular session, the board shall present its proposal to the joint appropriations subcommittee that considers education to assess the potential fiscal impact of the board's proposal and determine the extent to which the projected implementation costs associated with the proposal will be recommended for incorporation into the general appropriations act.

(3) (a) If the fiscal analysis of the proposal is found by the legislative fiscal division to have a substantial fiscal impact, the The board may not implement the standard a proposed adoption or amendment to the accreditation standards that is found to have a fiscal impact under subsection (2)(b) until July 1 following the next regular end of the legislative session and shall request that the same legislature fund implementation of the proposed standard. A substantial fiscal impact is an amount that cannot be readily absorbed in the budget of an existing school district program. during which the fiscal impact is considered by the legislature pursuant to subsection (2)(b).

(b) If a proposed adoption or amendment is determined by the interim committee to not warrant a fiscal analysis or is found to have no fiscal impact under subsection (2)(b), the board may implement the proposal immediately following the review of the proposal by the interim committee if the legislature is not in regular session or by the joint appropriations subcommittee that considers education if the legislature is in regular session.

(c) The board may not implement a proposed adoption or amendment that the board presents directly to the joint appropriations subcommittee that considers education under subsection (2)(c) until July 1 following the end of the regular legislative session during which the fiscal impact is considered.

(4) Standards for the retention of school records must be as provided in 20-1-212."

- END -

I hereby certify that the within bill,
SB 0302, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2013.

Speaker of the House

Signed this _____ day
of _____, 2013.

SENATE BILL NO. 302

INTRODUCED BY E. ARNTZEN

AN ACT REVISING THE PROCESS FOR THE BOARD OF PUBLIC EDUCATION TO PRESENT PROPOSED ACCREDITATION STANDARDS TO A LEGISLATIVE COMMITTEE; CLARIFYING THE PROCESS FOR CONDUCTING AN ANALYSIS OF THE FISCAL IMPACT OF THE PROPOSED ACCREDITATION STANDARDS; REQUIRING ACCREDITATION STANDARDS PROPOSED DURING THE INTERIM WITH A PROJECTED FISCAL IMPACT TO BE INCLUDED IN THE OFFICE OF PUBLIC INSTRUCTION'S EXECUTIVE BUDGET; PROVIDING FOR A DELAYED IMPLEMENTATION DATE FOR THE BOARD OF PUBLIC EDUCATION'S PROPOSED STANDARDS EXCEPT FOR THOSE WITH NO PROJECTED FISCAL IMPACT; REQUIRING THE BOARD TO PRESENT ACCREDITATION STANDARDS PROPOSED DURING A REGULAR LEGISLATIVE SESSION DIRECTLY TO THE JOINT APPROPRIATIONS SUBCOMMITTEE THAT CONSIDERS EDUCATION; AND AMENDING SECTION 20-7-101, MCA.