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HOUSE BILL NO. 864

2

INTRODUCED BY D. BEDEY, B. BARKER, L. JONES, M. NIKOLAKAKOS, E. TILLEMAN, K. WALSH

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4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE PROVISIONS OF HOUSE BILL NO. 2;
5 EXPANDING USE OF THE SCHOOL FACILITY AND TECHNOLOGY ACCOUNT; REVISING DEFINITIONS;
6 PROVIDING FOR TRANSFERS TO AND FROM THE COMMUNITY COLLEGE FTE ADJUSTMENT
7 ACCOUNT; INCREASING THE RESIDENT NONBENEFICIARY STUDENT PAYMENT FOR TRIBAL
8 COLLEGES; PROVIDING FOR A STUDY BY THE EDUCATION INTERIM BUDGET COMMITTEE OF
9 INTERLIBRARY RESOURCE SHARING PROGRAMS AND THE STRUCTURE AND ORGANIZATION OF
10 THE OFFICE OF PUBLIC INSTRUCTION; AMENDING SECTIONS 20-9-516, 20-15-310, 20-15-328, AND 20-
11 25-428, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

12

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

14

15 **Section 1.** Section 20-9-516, MCA, is amended to read:

16 **"20-9-516. School facility and technology account.** (1) There is a school facility and technology
17 account in the state special revenue fund provided for in 17-2-102. The purpose of the account is to provide,
18 contingent on appropriation from the legislature, funding for the following in priority order:

19 (a) school technology purposes, including but not limited to purposes as provided in 20-9-534; and
20 (b) state debt service assistance as provided in 20-9-371.

21 (2) There must be deposited in the account:

22 (a) an amount of money equal to the income attributable to the difference between the average
23 sale value of 18 million board feet and the total income produced from the annual timber harvest on common
24 school trust lands during the fiscal year; and

25 (b) the income received from certain lands and riverbeds as provided in 17-3-1003(5).

26 (3) If in any fiscal year the amount of revenue in the school facility and technology account is
27 sufficient to fund debt service assistance without a proration reduction pursuant to 20-9-346(2)(b) and if in that
28 same fiscal year the amount of revenue available in the school major maintenance aid account established in

1 Montana who is not:

2 (a) a member of an Indian tribe; or

3 (b) a biological child of a member of an Indian tribe, living or deceased."

4

5 **NEW SECTION. Section 5. Interim studies by interim budget committee.** During the interim

6 following the 69th legislative session, the education budget committee provided for in 5-12-501 shall direct:

7 (1) a study of the educational and fiscal impact of state funding to support interlibrary resource

8 sharing programs across the state's public, school, academic, special, and tribal libraries; and

9 (2) a comprehensive study of the organization and structure of the office of public instruction.

10

11 **NEW SECTION. Section 6. Reporting.** The following agencies shall provide quarterly reports to the

12 education budget committee established in 5-12-501 as follows:

13 (1) the Montana historical society shall provide updates on the Montana 250th commission
14 activities;

15 (2) the office of public instruction shall provide updates on:

16 (a) the transformational learning program if House Bill No. 573 is passed and approved;

17 (b) the implementation of the high-quality instructional materials initiative if House Bill No. 462 is
18 passed and approved;

19 (c) the office of public instruction's database modernization project and associated information
20 technology projects; **and**

21 (d) implementation of revised math content standards; **and**

22 (e) **all expenditures from the in-state treatment appropriation in House Bill No. 2;**

23 (3) the Montana digital academy shall provide updates on the frontier learning lab initiative if
24 funded in House Bill No. 2;

25 (4) the office of the commissioner of higher education shall provide updates on the activities of the
26 NAGPRA-Repatriation support team if funded in House Bill No. 2; and

27 (5) the school for the deaf and blind shall report on the school's education initiative for the
28 professional development of interpreters. The school shall also report on any funds expended in the previous

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2025

69th Legislature 2025

Drafter: Julie Johnson,

HB0864.002.002

1 and current quarter and the purpose of those expenditures.

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3 **NEW SECTION. Section 7. Notification to tribal governments.** The secretary of state shall send a
4 copy of [this act] to each federally recognized tribal government in Montana.

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6 **COORDINATION SECTION. SECTION 8. COORDINATION INSTRUCTION -- DIRECTIONS TO CODE**

7 **COMMISSIONER. IF BOTH HOUSE BILL NO. 252 AND [THIS ACT] ARE PASSED AND APPROVED, THE CODE COMMISSIONER**
8 **IS DIRECTED TO CHANGE "QUALITY EDUCATOR" TO "QUALITY EDUCATOR AND QUALIFIED STAFF" IN TITLE 5, TITLE 20, AND**
9 **ALL LEGISLATION ENACTED BY THE 2025 LEGISLATURE WHENEVER A REFERENCE TO "QUALITY EDUCATOR" APPEARS IN**
10 **RELATION TO THE QUALITY EDUCATOR PAYMENT PROVIDED FOR IN 20-9-327.**

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12 **COORDINATION SECTION. SECTION 9. COORDINATION INSTRUCTION. IF BOTH HOUSE BILL NO. 515 AND**
13 **[THIS ACT] ARE PASSED AND APPROVED AND IF BOTH CONTAIN A SECTION THAT AMENDS 20-9-516, THEN THE SECTIONS**
14 **AMENDING 20-9-516 ARE VOID AND 20-9-516 MUST BE AMENDED AS FOLLOWS:**

15 **"20-9-516. School facility and technology account -- statutory appropriation for school**
16 **technology purposes.** (1) There is a school facility and technology account in the state special revenue fund
17 provided for in 17-2-102. The purpose of the account is to provide, ~~contingent on appropriation from the~~
18 ~~legislature~~, funding for the following in priority order:

19 (a) school technology purposes as provided in 20-9-534 subsection (3);
20 (b) contingent on appropriation from the legislature, other technology purposes;
21 (c) contingent on appropriation from the legislature, school major maintenance aid as provided in
22 20-9-525; and
23 (b)(d) contingent on appropriation from the legislature, state debt service assistance as provided in
24 20-9-371.

25 (2) There must be deposited in the account:
26 (a) an amount of money equal to the income attributable to the difference between the average
27 sale value of 18 million board feet and the total income produced from the annual timber harvest on common
28 school trust lands during the fiscal year; and