



Bills Have Been Assigned a Chapter Number as of May 8, 2019, 10:00 am

[HB 357](#) - Matt Regier (R) Revise concealed carry laws. This bill will put a referendum on the 2020 ballot regarding the jurisdiction over concealed weapons. If approved, the jurisdiction will be at the state level and cities and counties will no longer have authority over this matter that their level. Our legal counsel believes that this referendum WILL NOT impact schools negatively. Locally elected trustees will continue to have the authority over schools and school property when it comes to any weapons.

[SB 12](#) - Daniel Salomon (R) Revise school funding related to oil and gas production taxes. This bill repealed statutory language that was no longer necessary. There was a small closing balance in the state funds referenced in this bill. Those funds will be transferred to OPI for the purposes set forth in SB 40 below. Effective July 1, 2019 except Section 2 which is effective October 1, 2019.

[SB 35](#) - Fred Thomas (R) Generally revise school safety laws. This bill broadens the scope of agencies in a region that can share student information for school safety teams, county level interdisciplinary teams, and the courts. This was specifically drafted to provide for rural and isolated regions in Montana. [MCA 20-1-401](#), [MCA 41-3-205](#), [MCA 52-2-211](#), and [MCA 52-2-304](#). Effective on passage and approval

[SB 40](#) - Frank Smith (D) Require OPI to create and maintain electronic directory photograph repository. This bill will allow the OPI to create and maintain an electronic photographic student repository to assist law enforcement in a faster response to a student identified as a 'missing child'. There is a requirement of local schools to annually notify parents or guardians to opt-in to this program. [MCA 44-2-505](#) and [MCA 44-2-506](#). Effective July 1, 2019.

[SB 92](#) - Daniel Salomon (R) Generally revise laws related to school safety. This bill expands and clarifies permissible expenditures of state school major maintenance aid for school and student safety and security. It also provides for school trustees to seek voter approval of a levy for these purposes. [MCA 20-9-236](#), [MCA 20-9-502](#), and [MCA 20-9-525](#). Effective on passage and approval.

[SB 140](#) - Cary Smith (R) Establish the Montana dyslexia screening and intervention act. I am told by the state director of Special Education that this bill only codifies what is already required of schools in Montana when it comes to identifying and serving students with dyslexia. Effective on July 1, 2019.

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[HB 173](#) - Shane Morigeau (D) Revise consent laws for elementary or high school students in a school setting. This is one of two bills (the other is SB 132 below) that were written to increase the safety of students in light of recent occurrences in Montana and around the country. This bill is related to public school students legally not be capable to 'give consent' to anyone for inappropriate contact. [MCA 45-5-501](#) and [MCA 45-5-502](#). No effective date provided.

[HB 204](#) - Marilyn Ryan (D) Generally revise teachers' retirement system laws. This bill was requested by the leadership of the TRS and is intended to clarify statutory language regarding the TRS relative to dormant membership status, withdrawal from membership, retirement benefit options, rollover provisions, designating of beneficiaries, and payments to minor children. Amends 14 sections of MCA and repeals 3. Effective July 1, 2019 except Sections 6 and 25. These sections are effective on passage and approval. Section 6 is retroactively effective July 1, 2007.

[HB 211](#) - Llew Jones (R) Address recruitment and retention of K-12 quality educators. This bill is specifically written to assist rural schools in Montana with recruitment efforts by restoring funding for the Quality Educator Loan Assistance program that was cut by the Governor last session. If a school district has advertised for 30 days and has not filled the position or have not received qualified candidates or has received less than five applications from qualified applicants, the district will be able to advertise the position as eligible for loan repayment up to \$12,000 over three years from the state and up to an additional (optional) \$5,000 in a fourth year from the hiring district, all being tax exempt. The provisions of the bill are effective July 1, 2019 and the tax implications begin after December 31, 2019. Amends 7 sections of MCA and repeals 1. Effective July 1, 2019.

[HB 387](#) - Llew Jones (R) Create advanced opportunity act for Montana students. The intent of this bill is to expand personalized career and technical education opportunities for middle and high school students and reduce out-of-pocket costs for students and families in support of preparation for post-secondary success. Funding for this program will not be available until FY21. Be on the lookout for application guidance from OPI. There are specific requirements and guidelines in statute for application and implementation of programming under this bill. This is a voluntary program. [MCA 20-7-701](#). Effective July 1, 2019.

[HB 413](#) - Fred Anderson (R) Address vaping in schools. This bill prohibits the use of vapor products of nicotine alternative products in a public school building or on public school property. There are penalties under the Montana Clean Indoor Air Act for violating this statute set in [MCA 50-40-115](#). [MCA 20-1-220](#). Effective on passage and approval.

[HB 745](#) - Andrea Olsen (D) Enact a student online personal information protection act. This bill creates the Montana Pupil Online Personal Information Protection Act. The intent is to provide for fines if the act is violated. The act prohibits against third party use of student records for any other purpose not permitted in the contract between the school district and the third party. School officials should seek legal guidance if they have questions about their contracts with software providers that have student directory information stored in their systems. Effective on passage and approval.

[SB 132](#) - Keith Regier (R) Creating a student safety accountability act. This is a bill that was requested by the Superintendent of Public Instruction intended to protect students from sexual misconduct and also addressing the issue of 'consent'. [MCA 45-5-501](#) and [MCA 45-5-502](#). Effective on passage and approval for incidents occurring on or after the effective date.

[SB 139](#) - Mike Lang (R) Revise retiree return to work provisions in teachers' retirement system. This bill changes TRS related statute that allows retired teachers to be hired under certain circumstances (see [MCA 19-20-732 \(1\)\(iii\)](#)), continue to receive their full retirement benefit and a salary from the hiring school district. The statute has been around for 10 years and required a retiree to have 30 years of service in the TRS. This has been changed to 27 years of service. Superintendents are no longer eligible under the revised statute and only 2nd and 3rd class districts are eligible to use this revised statute. The provisions of the revisions to statute are effective upon passage and approval. [MCA 19-20-732](#). Effective on passage and approval. Terminates on June 30, 2025.