



AN ACT GENERALLY REVISING REQUIREMENTS REGARDING HOME SCHOOLS; SEPARATING THE REQUIREMENTS FOR HOME SCHOOLS FROM THE REQUIREMENTS FOR NONPUBLIC SCHOOLS; AMENDING SECTION 20-5-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 20-5-109, MCA, is amended to read:

**"20-5-109. Nonpublic and home school requirements for compulsory enrollment exemption. (1)**

To qualify its students for exemption from compulsory enrollment under 20-5-102, a nonpublic ~~or home~~ school:

- (1) (a) shall maintain records on pupil attendance and disease immunization and make the records available to the county superintendent of schools on request;
- (2) (b) shall provide at least the minimum aggregate hours of pupil instruction in accordance with 20-1-301 and 20-1-302;
- (3) (c) must be housed in a building that complies with applicable local health and safety regulations; and
- (4) (d) shall provide an organized course of study that includes instruction in the subjects required of public schools as a basic instructional program pursuant to 20-7-111; and,
- (5) (2) ~~in the case of home schools,~~ To qualify its students for exemption from compulsory enrollment under 20-5-102, a home school:
  - (a) shall notify the county superintendent of schools of the county in which the home school is located in each school fiscal year of the student's attendance at the school;
  - (b) shall maintain records on pupil attendance and make the records available to the county superintendent on request;
  - (c) shall provide at least the minimum aggregate hours of pupil instruction in accordance with 20-1-

301 and 20-1-302; and

(d) shall provide an organized course of study that includes instruction in the subjects required of public schools as a basic instructional program pursuant to 20-7-111."

**Section 2. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
HB 778, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

HOUSE BILL NO. 778

INTRODUCED BY R. GREGG, B. LER, L. DEMING, B. MITCHELL

AN ACT GENERALLY REVISING REQUIREMENTS REGARDING HOME SCHOOLS; SEPARATING THE REQUIREMENTS FOR HOME SCHOOLS FROM THE REQUIREMENTS FOR NONPUBLIC SCHOOLS; AMENDING SECTION 20-5-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”