

SB213_L.015

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.SB13-213 be amended as follows:

1 Amend printed bill, page 78, after line 11, insert:

2 **"22-54.5-303. Per pupil supplemental payment - per pupil**
3 **supplemental fund - created - definitions.** (1) FOR PURPOSES OF THIS
4 SECTION:

5 (a) "DISTRICT'S PER PUPIL REVENUE" MEANS, FOR EACH BUDGET
6 YEAR, THE SUM OF THE AMOUNT OF LOCAL PROPERTY TAX REVENUES
7 GENERATED FROM THE NUMBER OF MILLS A DISTRICT LEVIES FOR TOTAL
8 PROGRAM PLUS THE SPECIFIC OWNERSHIP TAX REVENUE PAID TO THE
9 DISTRICT PLUS THE STATE SHARE PAID TO THE DISTRICT PLUS ANY
10 HOLD-HARMLESS MONEYS PAID TO THE DISTRICT PURSUANT TO SECTION
11 22-54.5-302, DIVIDED BY THE DISTRICT'S FUNDED MEMBERSHIP FOR THE
12 APPLICABLE BUDGET YEAR.

13 (b) "FUND" MEANS THE PER PUPIL SUPPLEMENTAL FUND CREATED
14 IN SUBSECTION (3) OF THIS SECTION.

15 (c) "INSTITUTE CHARTER SCHOOL'S PER PUPIL REVENUE" MEANS,
16 FOR EACH BUDGET YEAR, THE AMOUNT OF STATE FUNDING PAID TO THE
17 INSTITUTE CHARTER SCHOOL DIVIDED BY THE INSTITUTE CHARTER
18 SCHOOL'S FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

19 (2) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE
20 DEPARTMENT SHALL ANNUALLY PAY PER PUPIL SUPPLEMENTAL PAYMENTS
21 TO DISTRICTS AND INSTITUTE CHARTER SCHOOLS TO ENSURE THAT, FOR
22 EACH BUDGET YEAR, EACH DISTRICT'S PER PUPIL REVENUE AND EACH
23 INSTITUTE CHARTER SCHOOL'S PER PUPIL REVENUE ARE AT LEAST EQUAL
24 TO NINETY-FOUR PERCENT OF THE STATE AVERAGE PER PUPIL REVENUE.
25 THE DEPARTMENT SHALL ANNUALLY IDENTIFY THE DISTRICTS AND
26 INSTITUTE CHARTER SCHOOLS THAT MAY RECEIVE PER PUPIL
27 SUPPLEMENTAL PAYMENTS AS PROVIDED IN THIS SECTION.

28 (b) THE DEPARTMENT SHALL CALCULATE THE AMOUNT PAYABLE
29 TO EACH DISTRICT BY SUBTRACTING THE DISTRICT'S PER PUPIL REVENUE
30 FOR THE APPLICABLE BUDGET YEAR FROM AN AMOUNT EQUAL TO
31 NINETY-FOUR PERCENT OF THE STATE AVERAGE PER PUPIL REVENUE FOR
32 THE APPLICABLE BUDGET YEAR AND MULTIPLYING THE DIFFERENCE BY THE
33 DISTRICT'S FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

34 (c) THE DEPARTMENT SHALL CALCULATE THE AMOUNT PAYABLE
35 TO EACH INSTITUTE CHARTER SCHOOL BY SUBTRACTING THE INSTITUTE
36 CHARTER SCHOOL'S PER PUPIL REVENUE FOR THE APPLICABLE BUDGET
37 YEAR FROM AN AMOUNT EQUAL TO NINETY-FOUR PERCENT OF THE STATE



1 AVERAGE PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR AND
2 MULTIPLYING THE DIFFERENCE BY THE INSTITUTE CHARTER SCHOOL'S
3 FUNDED MEMBERSHIP FOR THE APPLICABLE BUDGET YEAR.

4 (d) A DISTRICT OR AN INSTITUTE CHARTER SCHOOL IS NOT ELIGIBLE
5 FOR PER PUPIL SUPPLEMENTAL PAYMENTS IN ANY BUDGET YEAR IN WHICH
6 THE CALCULATION DESCRIBED IN THIS SUBSECTION (2) RESULTS IN A
7 NEGATIVE NUMBER.

8 (3) (a) THERE IS CREATED IN THE STATE TREASURY THE PER PUPIL
9 SUPPLEMENTAL FUND CONSISTING OF SUCH MONEYS AS THE GENERAL
10 ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND
11 ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO
12 THE DEPARTMENT FOR DISTRIBUTION TO DISTRICTS AND INSTITUTE
13 CHARTER SCHOOLS AS PROVIDED IN THIS SECTION.

14 (b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND
15 NOT EXPENDED FOR THE PURPOSE OF THIS SECTION AS PROVIDED BY LAW.
16 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
17 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE
18 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN
19 THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND
20 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
21 ANOTHER FUND.

22 (4) IN A BUDGET YEAR IN WHICH THE GENERAL ASSEMBLY DOES
23 NOT APPROPRIATE A SUFFICIENT AMOUNT TO FULLY FUND THE PER PUPIL
24 SUPPLEMENTAL PAYMENTS AUTHORIZED IN SUBSECTION (2) OF THIS
25 SECTION, THE DEPARTMENT SHALL REDUCE EACH DISTRICT'S AND EACH
26 INSTITUTE CHARTER SCHOOL'S PAYMENT BY THE SAME PERCENTAGE THAT
27 THE DEFICIT BEARS TO THE AMOUNT REQUIRED TO FULLY FUND THE PER
28 PUPIL SUPPLEMENTAL PAYMENTS AUTHORIZED BY SUBSECTION (2) OF THIS
29 SECTION."

30 Renumber succeeding statutory sections accordingly.

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