

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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