

SENATE FILE NO. SF0096

School finance-maximum recapture expenditures.

Sponsored by: Senator(s) Devin, Coe and Larson and
 Representative(s) Baker, Nicholas and
 Wasserburger

A BILL

for

1 AN ACT relating to school buildings and facilities;
 2 requiring consideration of district revenues available from
 3 maximum recapture limitations for purposes of major
 4 maintenance payments and for assembling school facilities
 5 commission budget and financing recommendations for school
 6 projects relating to such districts; and providing for an
 7 effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 21-15-109(b) and by creating a new
 12 subsection (f) and 21-15-119(a)(intro) and by creating a
 13 new subsection (c) are amended to read:

14

15 **21-15-109. Major building and facility repair and**
 16 **replacement payments; computation; square footage**

1 **allowance; use of payment funds; accounting and reporting**
2 **requirements; reductions for maximum recapture.**

3
4 (b) On or before September 30 and March 31 of each
5 school year and subject to subsection (f) of this section,
6 the school facilities commission shall distribute major
7 building and facility repair and replacement payments to
8 each school district from the capital construction account.
9 Major building and facility repair and replacement payments
10 shall be computed in accordance with subsection (c) of this
11 section.

12
13 (f) Major building and facility repair and
14 replacement payments under this section shall be reduced
15 for any school district subject to recapture under W.S.
16 21-13-102(b) and whose revenues rebated exceed limitations
17 imposed under W.S. 21-13-102(c) due to revenues received
18 from mandatory levies per average daily membership compared
19 to statewide revenues per average daily membership. A
20 reduction under this subsection shall be applied as
21 follows:

22
23 (i) The reduction shall be implemented only if
24 maximum recapture was determined by the department of

1 education for a district in accordance with W.S.
2 21-13-102(c);

3
4 (ii) The reduction shall be imposed for any
5 fiscal year immediately following a fiscal year in which
6 rebated revenues exceeded the maximum amount of recapture,
7 as established by the department for that district;

8
9 (iii) The amount of the reduction computed
10 pursuant to this subsection for any fiscal year shall be
11 equal to the amount of the excess maximum recapture
12 determined by the department and rebated to the district
13 for that fiscal year.

14
15 **21-15-119. Commission budget and funding**
16 **recommendations.**

17
18 (a) Notwithstanding W.S. 9-2-1012 and subject to
19 subsection (c) of this section, the commission shall
20 annually, not later than November 1, and after review by
21 and in conjunction with the select committee on school
22 facilities, prepare and submit a recommended budget for
23 projects and school capital construction financing to the
24 governor, through the budget division of the department of

1 administration and information. The recommended budget
2 submitted by the commission shall include:

3
4 (c) In preparing its annual budget under this
5 section, the commission shall for any school district for
6 which a project has been developed by the commission under
7 W.S. 21-15-118 and included within its budget
8 recommendations, consider revenues available to that
9 district from rebates of recapture payments computed and
10 made by the department of education in accordance with
11 maximum recapture limitations imposed under W.S.
12 21-13-102(c). State funding of a maximum recapture
13 district project shall be reduced by an amount equal to the
14 rebated revenues received by that district, following
15 reductions in major building and facility repair and
16 replacement payments under W.S. 21-15-109(f), for that
17 fiscal year for which the budget is authorized and approved
18 by the legislature.

19

20 **Section 2.** This act is effective July 1, 2003.

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22

(END)