

ENROLLED ACT NO. 97, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2025 GENERAL SESSION

AN ACT relating to K-12 public school finance; increasing the allowable square footage utilized to calculate routine and major maintenance for school districts; increasing the percentage utilized to calculate major maintenance payments to school districts; providing appropriations; and providing for effective dates.

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

**Section 1.** W.S. 21-13-309(m)(v)(G)(II) and 21-15-109(c)(iii)(C), (vi) and (vii)(intro) are amended to read:

**21-13-309. Determination of amount to be included in foundation program for each district.**

(m) In determining the amount to be included in the foundation program for each district, the state superintendent shall:

(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

(G) Amounts within the block grant model for maintenance and operations shall be based upon actual gross square footage of school buildings and facilities subject to the following:

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(II) Actual gross square footage of education space shall be the gross square footage prescribed by statewide building adequacy standards promulgated pursuant to W.S. 21-15-115. Except as otherwise provided in this subdivision, education space capacity in excess of one hundred fifteen percent (115%) of the standard space level shall not be included in actual gross square footage computations under this subdivision. For school year 2025-2026, education space capacity in excess of one hundred thirty-five percent (135%) of the standard space level shall not be included in actual gross square footage computations under this subdivision;

**21-15-109. Major building and facility repair and replacement payments; computation; square footage allowance; use of payment funds; accounting and reporting requirements.**

(c) To compute the major building and facility repair and replacement payment for each district, the department shall:

(iii) Except as otherwise provided by this paragraph, adjust the total amount of gross square footage determined for educational buildings under subparagraph (c)(ii)(C) of this section by excluding from computations under this section the square footage for those educational buildings closed and not operational as provided for under paragraph (c)(iv) of this section and any amount including the gross square footage of portable buildings, which exceeds capacity levels specified by this paragraph which are above the statewide minimum gross square footage criteria as prescribed by the statewide building and facility adequacy standards promulgated under W.S.

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21-15-115(a). For the purpose of adjusting the gross square footage of educational buildings under this paragraph, the gross square footage of buildings used for the provision of certified child care, developmental preschool and cooperative education programs pursuant to subparagraph (c)(i)(A) of this section shall not be excluded. For purposes of this section, per student gross square footage criteria prescribed by the statewide building adequacy standards shall be based upon an average daily membership (ADM) computed as defined under W.S. 21-13-101(a)(i) for the prior school year. For purposes of computations under this section, the allowable capacity in educational building gross square footage for each district including portable buildings but excluding buildings used for the provision of certified child care, developmental preschool and cooperative education programs pursuant to subparagraph (c)(i)(A) of this section, shall be as follows:

(C) ~~For school year 2009-2010 and each school year thereafter~~ Except as otherwise provided in this subparagraph, for each school year, up to one hundred fifteen percent (115%) of the prescribed per student gross square footage criteria. For school year 2025-2026, up to one hundred thirty-five percent (135%) of the prescribed per student gross square footage criteria.

(vi) Multiply the amount computed under paragraph (c)(v) of this section for the adjusted square footage of the district's educational buildings times two and one-half percent (2.5%) for school year ~~2001-2002, three percent (3%) for school year 2002-2003, and by two percent (2%) for school year 2003-2004~~ 2025-2026 and each school year thereafter;

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(vii) Multiply the sum of the amounts obtained under paragraph (c)(v) of this section for the building categories identified under subparagraphs (c)(ii)(A) and (D) of this section times two and one-half percent (2.5%) for school year ~~2001-2002, three percent (3%) for school year 2002-2003, and by two percent (2%) for school year 2003-2004~~ 2025-2026 and each school year thereafter, adjusted as follows:

**Section 2.** There is appropriated thirty-eight million one hundred thousand dollars (\$38,100,000.00) from the public school foundation program account to the state construction department for major maintenance payments to school districts made necessary by the amendments enacted in section 1 of this act. This appropriation shall be for the period beginning July 1, 2025 and ending June 30, 2026. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2026.

**Section 3.**

(a) There is appropriated from the public school foundation program account twenty million dollars (\$20,000,000.00) to the school facilities commission for demolition, site preparation and construction necessary for the completion of a high school building and facility project in Campbell county school district #1. Any disposition or demolition of buildings or facilities shall be subject to commission approval and be included in the district's facility plan to ensure the disposition or demolition is in the financial interest of the state and is in the public interest as required under W.S. 21-15-123(f)(vi). The amounts appropriated under this

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subsection shall remain in effect from the effective date of this act until the high school building and facility project in Campbell county school district #1 is complete. Upon completion of the high school building and facility project in Campbell county school district #1, any unexpended, unobligated funds remaining from the appropriation for the project shall revert to the public school foundation program account.

(b) If 2025 House Bill 0259 is enacted into law, the appropriation in subsection (a) of this section shall be reduced by one dollar (\$1.00) for every one dollar (\$1.00) appropriated to the school facilities commission for the project specified in subsection (a) of this section in 2025 House Bill 0259.

ORIGINAL SENATE  
FILE NO. SF0034

ENGROSSED

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**Section 4.**

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2025.

(b) Sections 3 and 4 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk