

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

K-12 school facilities routine and major maintenance.

Sponsored by: Select Committee on School Facilities

A BILL

for

1 AN ACT relating to K-12 public school finance; modifying
2 the allowable educational square footage utilized to
3 calculate routine and major maintenance for school
4 districts; excluding square footage generated by full-time
5 virtual education students from the routine and major
6 maintenance calculations; providing appropriations;
7 specifying applicability; and providing for effective date.

8

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

10

11 **Section 1.** W.S. 21-13-309(m) (v) (G) (II) and
12 21-15-109(c) (iii) (intro) and (C) are amended to read:

13

1 **21-13-309. Determination of amount to be included in**
2 **foundation program for each district.**

3
4 (m) In determining the amount to be included in the
5 foundation program for each district, the state
6 superintendent shall:

7
8 (v) Based upon ADM computations and identified
9 school configurations within each district pursuant to
10 paragraph (iv) of this subsection, compute the foundation
11 program amount for each district as prescribed by the
12 education resource block grant model as defined under W.S.
13 21-13-101(a)(xiv). The following criteria shall be used by
14 the state superintendent in the administration of the
15 education resource block grant model:

16
17 (G) Amounts within the education resource
18 block grant model for maintenance and operations shall be
19 based upon the lesser of the actual educational gross
20 square footage of school buildings and facilities or the
21 education space prescribed by statewide adequacy standards
22 under W.S. 21-15-115 subject to the following:

23

(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, less the gross square footage generated by full-time virtual education students, as defined by W.S. 21-13-330(f)(v). Education space capacity in excess of ~~one hundred fifteen percent (115%)~~ 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

1 (c)(ii)(C) of this section by excluding from computations
2 under this section the square footage for those educational
3 buildings closed and not operational as provided for under
4 paragraph (c)(iv) of this section and any amount including
5 the gross square footage of portable buildings, which
6 exceeds capacity levels specified by this paragraph which
7 are above the statewide minimum gross square footage
8 criteria as prescribed by the statewide building and
9 facility adequacy standards promulgated under W.S. 21-15-
10 115(a). For the purpose of adjusting the gross square
11 footage of educational buildings under this paragraph, the
12 gross square footage of buildings used for the provision of
13 certified child care, developmental preschool and
14 cooperative education programs pursuant to subparagraph
15 (c)(i)(A) of this section shall not be excluded. For
16 purposes of this section, per student gross square footage
17 criteria prescribed by the statewide building adequacy
18 standards shall be based upon an average daily membership
19 (ADM) computed as defined under W.S. 21-13-101(a)(i) for
20 the prior school year, less the ADM of full-time virtual
21 education students, as defined by W.S. 21-13-330(f)(v). For
22 purposes of computations under this section, the allowable
23 capacity in educational building gross square footage for

1 each district including portable buildings but excluding
2 buildings used for the provision of certified child care,
3 developmental preschool and cooperative education programs
4 pursuant to subparagraph (c)(i)(A) of this section, shall
5 be as follows:

6
7 (C) Except as otherwise provided in this
8 subparagraph, for each school year, ~~up to one hundred~~
9 ~~fifteen percent (115%) of the prescribed per student gross~~
10 ~~square footage criteria. For school year 2025-2026,~~ up to
11 one hundred thirty-five percent (135%) of the prescribed
12 per student gross square footage criteria.

13
14 **Section 2.**

15
16 (a) There is appropriated fifteen million nine
17 hundred seventy thousand dollars (\$15,970,000.00) from the
18 public school foundation program account to the state
19 construction department for major maintenance payments to
20 school districts made necessary by the amendments enacted
21 in section 1 of this act. This appropriation shall be for
22 the period beginning July 1, 2027 and ending June 30, 2028.
23 This appropriation shall not be transferred or expended for

1 any other purpose and any unexpended, unobligated funds
2 remaining from this appropriation shall revert as provided
3 by law on June 30, 2028.

4
5 (b) There is appropriated four million seven hundred
6 fifty thousand dollars (\$4,750,000.00) from the public
7 school foundation program account to the department of
8 education-school finance for routine maintenance payments
9 to school districts made necessary by the amendments
10 enacted in section 1 of this act. This appropriation shall
11 be for the period beginning July 1, 2027 and ending June
12 30, 2028. This appropriation shall not be transferred or
13 expended for any other purpose and any unexpended,
14 unobligated funds remaining from this appropriation shall
15 revert as provided by law on June 30, 2028.

16
17 **Section 3.** W.S. 21-13-309 and 21-15-109, as amended by
18 section 1 of this act, shall apply to routine and major
19 maintenance calculations for school year 2027-2028, and
20 each school year thereafter.

21
22 **Section 4.** This act is effective immediately upon
23 completion of all acts necessary for a bill to become law

1 as provided by Article 4, Section 8 of the Wyoming
2 Constitution.

3

4 (END)