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

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

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)(intro) and (C) 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 as defined under W.S. 21-13-101(a)(xiv). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

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

(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

(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. 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, less the ADM of full-time virtual education students, as defined by W.S. 21-13-330(f)(v). 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) 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.

Section 2.

(a) There is appropriated fifteen million nine hundred seventy thousand dollars ($15,970,000.00) 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, 2027 and ending June 30, 2028. 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, 2028.

(b) There is appropriated four million seven hundred fifty thousand dollars ($4,750,000.00) from the public school foundation program account to the department of education-school finance for routine 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, 2027 and ending June 30, 2028. 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, 2028.

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

Section 4. This act is 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)