

SENATE FILE NO. SF0035

School capital construction-amendments.

Sponsored by: Select School Facilities Committee

A BILL

for

1 AN ACT relating to school buildings and facilities;
 2 clarifying provisions governing revenues from and costs of
 3 disposition and demolition of surplus property; and
 4 providing for an effective date.

5

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

7

8 **Section 1.** W.S. 21-13-310(a)(xiv) and (xv),
 9 21-15-114(a)(x) and 21-15-116(a)(intro) are amended to
 10 read:

11

12 **21-13-310. Annual computation of district revenues.**

13

14 (a) To ensure revenues available to each district are
 15 uniformly sufficient to enable compliance with the uniform
 16 standards for educational programs prescribed under W.S.
 17 21-9-101 and 21-9-102 and to secure state board

1 accreditation of educational programs under W.S.
2 21-2-304(a)(ii), the revenues specified under this
3 subsection shall be deemed state revenues and shall be
4 considered in determining the amount to be distributed to
5 each district under W.S. 21-13-311. A district shall make
6 an annual computation of the following revenues:

7

8 (xiv) Except as provided under W.S.
9 21-15-114(a)(x), any amount received by the district during
10 the preceding school year from the sale of real or personal
11 property which was not owned by the district prior to July
12 1, 1997;

13

14 (xv) All other revenues received or collected by
15 the district during the previous school year, but excluding
16 any amount received from private contributions and gifts,
17 excluding any revenues dedicated by law to the payment of
18 bonded indebtedness and any revenues from the disposition
19 of school buildings and land pursuant to W.S.
20 21-15-114(a)(x), and excluding fees or other charges
21 imposed by the district for goods or services, such as
22 rental fees and the price paid for admission into any place
23 for recreation, entertainment or an athletic event. Upon
24 application of a district, the department shall exclude

1 from this paragraph revenue received by the district if the
2 department finds that the revenue could not be used by the
3 district to provide educational services to students.

4

5 **21-15-114. Powers and duties; school facilities**
6 **office created; director.**

7

8 (a) The school facilities commission shall:

9

10 (x) Review and ~~approval of~~ approve district
11 plans for the disposition or demolition of buildings and
12 facilities made surplus by an approved construction or
13 renovation project or by changes in school population,
14 including allocation of resulting costs and revenues.
15 Disposition shall include options for use, lease, sale and
16 any other means of disposing of the surplus building or
17 facility. The costs and revenues incurred by the
18 disposition or demolition of the building or facility shall
19 be accounted for in each district's school facility plan
20 and considered in any building or facility remedy for that
21 district, including use or recovery of revenues resulting
22 from the disposition of property rendered surplus to offset
23 property demolition costs. The district shall have final
24 authority over the disposition or demolition of any surplus

1 buildings, facilities or land, but the commission may
2 disapprove any plans submitted pursuant to this paragraph
3 to protect the financial interests of the state if the
4 plans are not otherwise in the public interest. Any
5 revenues resulting from property disposition under this
6 paragraph shall not be considered ~~pursuant to or counted~~
7 under W.S. 21-13-310(a) (xiv) or (xv); ~~shall not be counted~~
8 ~~under this paragraph;~~

9
10 **21-15-116. School district facility plans; filing**
11 **with commission; commission review; judicial review.**

12
13 (a) Each school district shall, in accordance with
14 rules and regulations of the commission, and with the
15 assistance of professional facility planning expertise and
16 a representative of the commission, develop long range
17 comprehensive school building and facility plans for the
18 district which address district wide building and facility
19 needs over a five (5) year period. The plan shall be in a
20 form and format specified by rule and regulation of the
21 commission and shall identify building and facility needs
22 in accordance with the statewide adequacy standards,
23 actions to remediate building and facility inadequacies
24 including construction, renovation and major building and

1 facility repair and replacement expenditures, and any local
2 enhancements to buildings and facilities beyond statewide
3 adequacy standards. The plans shall include a response to
4 each building and facility inadequacy identified by the
5 needs assessment on a building-by-building, space-by-space
6 basis. The plan shall also review and to the extent
7 practical, identify nonconstruction alternatives to
8 building and facility inadequacies such as building
9 closure, modification of school boundaries, modification of
10 school grade configurations and similar approaches.
11 Demolition or use, lease or other methods of disposition of
12 commission determined surplus buildings and facilities
13 shall be incorporated as part of the district plan,
14 including identified alternative methods of building
15 disposition and proposed allocation and offsetting of costs
16 incurred or revenues resulting from disposition or
17 demolition. In addition, district facility plans shall
18 include:
19

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)