

**WORKING DRAFT**

HOUSE BILL NO. \_\_\_\_\_

School facilities-surplus buildings.

Sponsored by: HDRAFT

A BILL

for

1 AN ACT relating to school facilities; providing major  
2 maintenance payments for school buildings which would  
3 otherwise be closed or deemed surplus but for specified  
4 uses; exempting such use from capacity limits; and  
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 21-15-109(c)(i)(A), (ii)(C),  
10 (iii)(intro) and (iv) is amended to read:

11

12 **21-15-109. Major building and facility repair and**  
13 **replacement payments; computation; square footage**  
14 **allowance; use of payment funds; accounting and reporting**  
15 **requirements.**

1

2 (c) To compute the major building and facility repair  
3 and replacement payment for each district, the commission  
4 shall:

5

6 (i) Annually on or before September 1, determine  
7 the total number of gross square feet of school buildings  
8 and facilities within the district according to guidelines  
9 prescribed by rule and regulation of the commission,  
10 subject to the following:

11

12 (A) The gross square footage of any school  
13 building or facility within the district which is not used  
14 for purposes of delivering the required educational program  
15 shall not be included within the district's total gross  
16 square footage computed under this section, except for the  
17 square footage of any district school building or facility  
18 which would otherwise be treated as a closed building under  
19 paragraph (c)(iv) of this section or is determined to be  
20 surplus, and following approval of the commission, the  
21 building or facility is being used for the provision of  
22 child care programs certified to operate in Wyoming under  
23 W.S. 14-4-101 through 14-4-111 or for developmental  
24 preschool programs receiving state financial assistance for

1 program operations. The district shall incorporate such  
2 use of closed or surplus buildings into its facility plans  
3 required under W.S. 21-15-116;  
4

5 (ii) Of the total gross square feet for all  
6 school buildings and facilities computed under paragraph  
7 (c)(i) of this section, determine the total gross square  
8 feet for each of the following building categories:  
9

10 (C) Educational buildings, including  
11 buildings used for the provision of certified child care  
12 and developmental preschool programs pursuant to  
13 subparagraph (c)(i)(A) of this section, and including  
14 portable buildings provided portable buildings do not  
15 exceed more than ten percent (10%) of the total gross  
16 square feet computed for all school buildings and  
17 facilities under paragraph (c)(i) of this section, and  
18 excluding teacherages;  
19

20 (iii) The total amount of gross square footage  
21 determined for educational buildings under subparagraph  
22 (c)(ii)(C) of this section shall be adjusted by excluding  
23 from computations under this section the square footage for  
24 those educational buildings closed and not operational as

1 provided for under paragraph (c)(iv) of this section and  
2 any amount including the gross square footage of portable  
3 buildings but excluding the gross square footage of  
4 buildings used for the provision of certified child care  
5 and developmental preschool programs pursuant to  
6 subparagraph (c)(i)(A) of this section, which exceeds  
7 capacity levels specified by this paragraph which are above  
8 the statewide minimum gross square footage criteria as  
9 prescribed by the statewide building and facility adequacy  
10 standards promulgated under W.S. 21-15-115(a). For purposes  
11 of this section, per student gross square footage criteria  
12 prescribed by the statewide building adequacy standards  
13 shall be based upon an average daily membership (ADM)  
14 computed as defined under W.S. 21-13-101(a)(i) for the  
15 prior school year. For purposes of computations under this  
16 section, the allowable capacity in educational building  
17 gross square footage for each district including portable  
18 buildings but excluding buildings used for the provision of  
19 certified child care and developmental preschool programs,  
20 shall be as follows:

21

22 (iv) The square footage of any district building  
23 or facility which is closed and not operational, is not  
24 being replaced under a district's facility plan approved by

1 the commission under W.S. 21-15-116, is not determined  
2 surplus by the commission and is specified as a closed  
3 building within the district's facility plan as a cost  
4 efficient means to address future district building needs,  
5 shall be segregated from the square footage of other  
6 district buildings and facilities and multiplied by the  
7 replacement value determined by the commission under  
8 paragraph (c)(v) of this section for the appropriate  
9 building category. The resulting amount shall then be  
10 multiplied by an exterior closure factor established by the  
11 commission based upon the most current edition of the  
12 Whitestone Building Maintenance and Repair Cost Reference  
13 Index and added to the total amount determined for the  
14 district under paragraph (c)(viii) of this section. This  
15 paragraph shall not apply to any school year during which  
16 the building or facility is reopened and becomes  
17 operational for purposes of delivering the required  
18 educational program within the district or to any school  
19 year during which the building or facility is used to  
20 provide certified child care or developmental preschool  
21 programs pursuant to subparagraph (c)(i)(A) of this  
22 section;

23

24 **Section 2.** This act is effective July 1, 2007.

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(END)