

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

School finance-recapture payments.

Sponsored by: (s) SDraft

A BILL

for

1 AN ACT relating to school finance; modifying the schedule
2 for recapture payments as specified; adjusting recapture
3 district entitlement loan repayment; specifying
4 application; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 21-13-102(b) and 21-13-313(g) are
9 amended to read:

10

11 **21-13-102. Maximum rate of school district tax;**
12 **recapture of excess; equalization of permissive levies.**

13

1 (b) Except as otherwise provided by law, on January
2 15, March 15 and May 15 of each year in equal payments of
3 twenty-five percent (25%) and the balance to be paid on
4 June 15, each school district shall rebate to the
5 department of education the amount by which the revenue
6 from the sources provided by W.S. 21-13-310 exceeds the
7 foundation program costs determined under W.S. 21-13-309,
8 as estimated to the districts on or before August 15 and as
9 subsequently certified to the districts on or before March
10 1 of the current fiscal year under subsection (e) of this
11 section, to be credited to the public school foundation
12 program account defined in W.S. 21-13-101(a)(ix).

13

14 **21-13-313. Distribution of funds from foundation**
15 **account; property tax and cash reserve adjustment;**
16 **regulations.**

17

18 (g) In addition to subsections (b) and (c) of this
19 section, the state superintendent shall for any district
20 subject to W.S. 21-13-102(b) as determined by the
21 department for any school year, provide payments from the
22 school foundation program account in an amount equal to
23 one-third (1/3) of the foundation program amount computed

1 for that district for that school year in accordance with
2 W.S. 21-13-309. The computed amount shall be paid to each
3 eligible district on August 15 based upon tentative
4 computations under W.S. 21-13-309, for which the department
5 may use fiscal information available from foundation
6 program computations for the previous school year in the
7 manner provided under subsection (b) of this section. The
8 amount computed under this subsection shall be reduced by
9 any recapture revenues of a district which exceed
10 limitations imposed under W.S. 21-13-102(c), as established
11 by the department for that district for the prior school
12 year. Any district receiving a payment under this
13 subsection shall repay the foundation program account ~~fifty~~
14 ~~percent (50%) of the amount received on or before January~~
15 ~~31 of the school year in which received, and shall repay~~
16 ~~the remaining fifty percent (50%)~~ by June 15 of that school
17 year.

18

19 **Section 2.** Nothing in this act is intended to be
20 interpreted to modify the administration of school finance
21 with respect to recapture payment schedules under W.S.
22 21-13-102(b) and recapture district entitlement loan

1 repayment schedules under W.S. 21-13-313(g) for the 2007-
2 2008 school year.

3

4 **Section 3.** This act is effective July 1, 2008.

5

6

(END)