

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

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

School finance-district interest earnings.

Sponsored by: (s) Hdraft

A BILL

for

1 AN ACT relating to school finance; including earnings on  
2 funds held by districts as a local resource for purposes of  
3 foundation program computations; conforming necessary  
4 technical renumbering; 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. 21-13-310(a) by creating a new  
9 paragraph (xv) and by renumbering paragraph (xv) as (xvi),  
10 21-15-109(c)(i)(A)(V) and 21-15-114(a)(x) and (xiv) are  
11 amended to read:

12

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

14

1           (a) To ensure revenues available to each district are  
2 uniformly sufficient to enable compliance with the uniform  
3 standards for educational programs prescribed under W.S.  
4 21-9-101 and 21-9-102 and to secure state board  
5 accreditation of educational programs under W.S.  
6 21-2-304(a)(ii), the revenues specified under this  
7 subsection shall be deemed state revenues and shall be  
8 considered in determining the amount to be distributed to  
9 each district under W.S. 21-13-311. A district shall make  
10 an annual computation of the following revenues:

11

12           (xv) Interest, realized capital gains and any  
13 other earnings on funds held by the district, and earned  
14 during the previous school year, excluding interest on the  
15 separate major building and facility repair and replacement  
16 account established under W.S. 21-15-109(e);

17

18           ~~(xv)~~ (xvi) All other revenues received or  
19 collected by the district during the previous school year,  
20 but excluding any amount received from private  
21 contributions and gifts, excluding any revenues dedicated  
22 by law to the payment of bonded indebtedness, and any  
23 revenues from the disposition of school buildings and land

1 pursuant to W.S. 21-15-114(a)(x), and excluding fees or  
2 other charges imposed by the district for goods or  
3 services, such as rental fees and the price paid for  
4 admission into any place for recreation, entertainment or  
5 an athletic event. Upon application of a district, the  
6 department shall exclude from this paragraph revenue  
7 received by the district if the department finds that the  
8 revenue could not be used by the district to provide  
9 educational services to students.

10

11 **21-15-109. Major building and facility repair and**  
12 **replacement payments; computation; square footage**  
13 **allowance; use of payment funds; accounting and reporting**  
14 **requirements.**

15

16 (c) To compute the major building and facility repair  
17 and replacement payment for each district, the commission  
18 shall:

19

20 (i) Annually on or before September 1, determine  
21 the total number of gross square feet of school buildings  
22 and facilities within the district according to guidelines

1 prescribed by rule and regulation of the commission,  
2 subject to the following:

3

4 (A) The gross square footage of any school  
5 building or facility within the district which is not used  
6 for purposes of delivering the required educational program  
7 shall not be included within the district's total gross  
8 square footage computed under this section, except for the  
9 square footage of any district school building or facility  
10 which would otherwise be treated as a closed building under  
11 paragraph (c)(iv) of this section or is determined to be  
12 surplus, and following approval of the commission, the  
13 building or facility is being used for the provision of one  
14 (1) of the programs specified in subdivisions (I) through  
15 (III) of this subparagraph and the district complies with  
16 subdivisions (IV) through (VI) of this subparagraph:

17

18 (V) The district reports any fees or  
19 payments received or collected for this use of closed or  
20 surplus buildings as a local resource for purposes of  
21 foundation program computations under W.S. ~~21-13-310(a)(xv)~~  
22 21-13-310(a)(xvi); and

23

1           **21-15-114. Powers and duties; school facilities**  
2 **office created; director.**

3  
4           (a) The school facilities commission shall:

5  
6                   (x) Review and approve district plans for the  
7 disposition or demolition of buildings and facilities made  
8 surplus by an approved construction or renovation project  
9 or by changes in school population, including allocation of  
10 resulting costs and revenues. Disposition shall include  
11 options for use, lease, sale and any other means of  
12 disposing of the surplus building or facility. The costs  
13 and revenues incurred by the disposition or demolition of  
14 the building or facility shall be accounted for in each  
15 district's school facility plan and considered in any  
16 building or facility remedy for that district, including  
17 the allocation of revenues resulting from the disposition  
18 of property rendered surplus to offset property demolition  
19 costs. The district shall have final authority over the  
20 disposition or demolition of any surplus buildings,  
21 facilities or land, but the commission may disapprove any  
22 plans submitted pursuant to this paragraph to protect the  
23 financial interests of the state if the plans are not

1 otherwise in the public interest. Any revenues resulting  
2 from property disposition under this paragraph shall not be  
3 considered or counted under W.S. 21-13-310(a)(xiv) or ~~(xv)~~  
4 (xvi);

5  
6 (xiv) Review any proposed sale of existing land  
7 owned by a district, which land is within the scope of the  
8 district's facility plan, and the impact of the land  
9 disposition upon that plan. The commission may disapprove  
10 any plans submitted pursuant to this paragraph to protect  
11 the financial interests of the state if the plans are not  
12 otherwise in the public interest. If the commission  
13 determines land disposition adversely impacts the cost-  
14 effectiveness of the district's facility plan, the revenues  
15 resulting from land disposition shall be considered by the  
16 commission in any future building or facility remedy for  
17 that district and notwithstanding paragraph (x) of this  
18 subsection, may at the direction of the commission to the  
19 department of education, be considered or counted under  
20 W.S. 21-13-310(a)(xiv) or ~~(xv)~~ (xvi);

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1       **Section 2.** This act is effective July 1, 2008.

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(END)