

## Senate Floor Amendment 2 to HB 318

**ADOPTED**

Senators Anavitarte of the 31st, Goodman of the 8th, Dolezal of the 27th, Sims of the 12th and Dixon of the 45th offered the following amendment 2:

1 *Amend HB 318 (LC 49 1351S) by inserting after "so as" on line 2: "to revise the eligibility*  
 2 *criteria for certain capital outlay grants for low-wealth school systems; to provide for the*  
 3 *authority of the State Board of Education to establish rules and regulations;"*

4 *By replacing line 22 with the following:*

5 secondary education, is amended by revising subsection (d) and adding two new subsections  
 6 to Code Section 20-2-262, relating to low-wealth capital outlay grants to local school systems  
 7 and criteria for eligibility, to read as follows:

8 "(d) ~~Local~~ Except as provided for in subsection (d.1) of this Code section and subject to  
 9 available funding, local school systems which meet the following criteria shall be eligible  
 10 for a low-wealth capital outlay grant:

11 (1)(A)(i) The amount of sales tax revenues per unit in the full-time equivalent student  
 12 count of the local school system is currently ranked in the bottom 25 percent of local  
 13 school systems for sales tax revenues per unit in the full-time equivalent student count  
 14 or was so ranked during any of the three most recently completed school years; and  
 15 (ii) The value of property per unit in the full-time equivalent student count of the  
 16 local school system is currently ranked in the bottom 25 percent of local school  
 17 systems for value of property per unit in the full-time equivalent student count or was  
 18 so ranked during any of the three most recently completed school years;

19 (B) For local school systems in which the amount of special purpose local option sales  
20 tax revenues is ranked in the bottom 25 percent of eligible local school systems  
21 receiving such sales tax revenues, such systems may submit a request to the department  
22 for consideration; provided, however, that the local school system shall be required to  
23 commit the equivalent of five years of such revenues for the project. The department  
24 shall consider factors such as the high cost of a project, the local school system's ability  
25 to manage the project on its own, and the needs of the local school system, in  
26 determining whether to approve a project pursuant to this subparagraph; or

27 (C) For local school systems that are consolidating educational facilities that are more  
28 than 35 years old in accordance with a local facilities plan, the amount of special  
29 purpose local option sales tax revenues for a local school system over a five-year period  
30 would not generate the required local contribution, as determined pursuant to  
31 subsection (c) of this Code section;

32 (2) The local school system's millage rate for maintenance and operation is at least 12  
33 mills or an equivalent millage thereof;

34 (3) A special purpose local option sales tax is in effect in the local school district or the  
35 local school system has in place a millage rate for debt service on bonds, or both; and

36 (4) The local school system uses prototypical specifications as defined by the State  
37 Board of Education for the project.

38 (d.1) If the Department of Education determines that a local school system's system-wide  
39 eligible need has been met as a result of such local school system having received a capital  
40 outlay grant pursuant to subparagraph (d)(1)(B) or (d)(1)(C) of this Code section, then such  
41 local school system shall not be eligible to receive another capital outlay grant pursuant to  
42 subparagraph (d)(1)(B) or (d)(1)(C) of this Code section for a period of ten years from the  
43 date such grant was received."

44 "(g) The State Board of Education shall establish rules and regulations to implement the  
45 provisions of this Code section. Such rules shall provide for, but shall not be limited to,  
46 the following:

47 (1) The prioritization of eligible local school systems in the event that available funds  
48 are not sufficient to cover the full amount of capital outlay grants provided for in this  
49 Code section. In such event, eligible local school systems with lesser amounts of special  
50 purpose local option sales tax revenues shall be prioritized over eligible local school  
51 systems with higher amounts of such revenues; and

52 (2) The manner and method by which the Department of Education shall determine  
53 whether a local school system's system-wide eligible need has been met as a result of  
54 such local school system having received a capital outlay grant pursuant to  
55 subparagraph (d)(1)(B) or (d)(1)(C) of this Code section."

56 **SECTION 2.**

57 Said chapter is further amended in by revising subsection (f) of Code Section 20-2-2063.1,

58 *By renumbering the remaining sections accordingly.*