

HOUSE BILL NO. HB0017

School facilities-major maintenance enforcement.

Sponsored by: Select Committee on School Facilities

A BILL

for

1 AN ACT relating to school facilities; clarifying
2 enforcement of major maintenance expenditures by districts;
3 and providing for an effective date.

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

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7 **Section 1.** W.S. 21-15-109(e) is amended to read:

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9 **21-15-109. Major building and facility repair and**
10 **replacement payments; computation; square footage**
11 **allowance; use of payment funds; accounting and reporting**
12 **requirements.**

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14 (e) Amounts distributed under subsection (b) of this
15 section shall be deposited by the recipient district into a
16 separate account, the balance of which may accumulate from
17 year-to-year. Except as specified under subsection (f) of

1 this section, expenditures from the separate account,
2 including any interest earnings on the account, shall be
3 restricted to expenses incurred for major building and
4 facility repair and replacement as defined in subsection
5 (a) of this section and as prescribed by rule and
6 regulation of the commission, and shall be in accordance
7 with the district's facility plan approved by the
8 commission under W.S. 21-15-116. Account expenditures may
9 include the expenses of district personnel performing work
10 described under paragraph (a)(iii) of this section if
11 approved by the commission and if documented within the
12 district's facility plan. The district's facility plan
13 shall clearly specify proposed major maintenance
14 expenditures for addressing district major building and
15 facility repair and replacement needs on a building-by-
16 building basis, updated for the applicable reporting
17 period, which shall be aligned to the statewide adequacy
18 standards and prioritized based upon the impact of the
19 building or facility on the district's ability to deliver
20 the required educational program. The district shall
21 include plans for maintaining any district building or
22 facility which is under a lease agreement, specifying lease
23 revenues available to the district for maintenance of
24 facilities to the level required by statewide adequacy

1 standards. No expenditures shall be made from the separate
2 account unless the repair or replacement of the building or
3 facility systems for which the expenditure is to be made is
4 clearly specified within the district's facility plan or
5 otherwise approved by the commission. In a manner and form
6 required by commission rule and regulation, each district
7 shall annually report to the commission on the expenditures
8 made from the separate account during the applicable
9 reporting period, separating account expenditures on a
10 building-by-building basis. The commission shall annually
11 review account expenditures and shall report expenditures
12 to the select committee on school facilities established
13 under W.S. 28-11-301. The commission shall compile reported
14 building-by-building expenditure information for each
15 district and the district facility plan and include this
16 information in its annual report to the select committee
17 pursuant to W.S. 21-15-121. If any district expends funds
18 within the separate account for purposes not authorized by
19 this subsection or by rule and regulation of the
20 commission, the payments for that district in the
21 immediately succeeding year shall be reduced by the amount
22 of the unauthorized expenditure.

23

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.

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(END)