

SENATE FILE NO. SF0007

School buildings and facilities-lease reimbursements.

Sponsored by: Select Committee on School Facilities

A BILL

for

1 AN ACT relating to school finance; limiting state
2 reimbursements for buildings leased by a school district or
3 charter school; 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. 21-3-110(a)(x)(B) is amended to read:

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9 **21-3-110. Duties of boards of trustees.**

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11 (a) The board of trustees in each school district
12 shall:

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14 (x) Subject to review by the state construction
15 department under W.S. 21-15-115 for any project involving
16 state capital construction assistance, fix the site of each

1 school building and facility considering the needs of the
2 people of each portion of the district. If the district
3 enters into an agreement to lease buildings and facilities
4 owned by the district and the buildings and facilities are
5 included within the statewide database maintained by the
6 state construction department under W.S. 21-15-123(f)(iv),
7 the district shall, except as provided under W.S.
8 21-15-109(c)(i)(A)(II) and (III) and (B), ensure the lease
9 agreement requires sufficient payment from the lessee to
10 cover expenses necessary to adequately maintain the
11 facility or building in accordance with statewide adequacy
12 standards prescribed by the commission. If the district or
13 a charter school operating pursuant to a contract with the
14 district enters into an agreement to lease buildings and
15 facilities under which the district or the charter school
16 is the lessee and the building is to be used for the
17 provision of the required educational program within the
18 district, the lease agreement shall require the lessor to
19 adequately maintain the buildings and facilities in
20 accordance with standards prescribed by the commission. The
21 district shall be reimbursed for the lease payment of the
22 district or the charter school if the square footage of the
23 leased facility is not included within the district's total

1 square footage for purposes of major maintenance
2 computations under W.S. 21-15-109, subject to the
3 following:

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5 (B) Any payment made by the department
6 pursuant to this paragraph for a leased building or
7 facility shall not exceed the average cost per square foot
8 to lease buildings or facilities comparable to those
9 appropriate for public K-12 education multiplied by the
10 total square feet leased by the district or charter school
11 necessary to deliver the required educational program. The
12 average cost per square foot for comparable buildings or
13 facilities shall:

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15 (I) Be as determined by the
16 department; ~~and shall~~

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18 (II) Be comparable in location and
19 type to the building or facility leased by the district or
20 charter school; and

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22 (III) Not include any cost for
23 utilities or routine maintenance.

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2 **Section 2.** This act is effective July 1, 2020.

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(END)