



2013 ASSEMBLY BILL 662

January 24, 2014 - Introduced by Representatives STEINEKE, JACQUE, BIES, PRIDEMORE and BALLWEG, cosponsored by Senators COWLES, KEDZIE and GROTHMAN. Referred to Committee on Education.

1 **AN ACT** *to amend* 120.13 (19); and *to create* 121.907 and 121.91 (4) (r) of the
2 statutes; **relating to:** school district expenditures for community programs
3 and services and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a school district may establish community education, training, recreational, cultural, or athletic programs and services. The school board may collect fees to cover all or part of the costs of such community programs and services. Current law excludes such costs from the school district's shared cost and increases the school district's revenue limit by the amount of property taxes levied for community programs and services. The Department of Public Instruction (DPI) publishes guidelines regarding community service activities; see http://sfs.dpi.w.gov/sfs_comm_serv_fund_info.

This bill directs DPI to promulgate rules defining eligible costs for community programs and services and provides that only those expenditures that are eligible costs under the rules are excluded from a school district's shared cost.

In addition, the bill requires each school board to submit an annual report to the Department of Revenue (DOR) detailing the school board's expenditures in the previous school year for community programs and services. DOR must determine for each school district whether any such expenditures were ineligible under DPI's rules and certify to DPI the total amount of ineligible expenditures for each school district. The bill decreases a school district's revenue limit by the amount of its ineligible expenditures.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 120.13 (19) of the statutes is amended to read:

2 120.13 (19) COMMUNITY PROGRAMS AND SERVICES. Establish and maintain
3 community education, training, recreational, cultural or athletic programs and
4 services, outside the regular curricular and extracurricular programs for pupils,
5 under such terms and conditions as the school board prescribes. The school board
6 may establish and collect fees to cover all or part of the costs of such programs and
7 services. Costs Eligible costs associated with such programs and services shall not
8 be included in the school district's shared cost under s. 121.07 (6). The department
9 shall promulgate rules defining "eligible costs" for the purposes of this subsection.

10 **SECTION 2.** 121.907 of the statutes is created to read:

11 **121.907 Community programs and services.** (1) A school board annually
12 shall submit a report to the department of revenue detailing the school board's
13 expenditures in the previous school year for community programs and services under
14 s. 120.13 (19).

15 (2) The department of revenue shall determine for each school district whether
16 any such expenditures are not eligible costs, as defined by the department of public
17 instruction by rule under s. 120.13 (19), and certify for each school district the total
18 amount of such expenditures that are not eligible costs to the department of public
19 instruction.

20 **SECTION 3.** 121.91 (4) (r) of the statutes is created to read:

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1 121.91 (4) (r) The limit otherwise applicable to a school district under sub. (2m)
2 in any school year is decreased by an amount equal to the sum of the school district's
3 ineligible expenditures for community programs and services in the previous school
4 year, as certified to the department by the department of revenue under s. 121.907
5 (2).

SECTION 4. Initial applicability.

7 (1) This act first applies to state aid distributed in, and the calculation of a
8 school district's revenue limit for, the 2014-15 school year.

9 **(END)**