



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2884/1
FFK:amn

2023 SENATE BILL 276

May 15, 2023 - Introduced by Senators TOMCZYK and STROEBEL, cosponsored by Representatives SORTWELL, GUSTAFSON, MOSES, MURPHY, SAPIK and SCHRAA. Referred to Committee on Education.

1 **AN ACT to amend** 67.05 (6a) (a) 2. (intro.) and 115.385 (1) (a) (intro.); and **to**
2 **create** 67.05 (6a) (a) 3. of the statutes; **relating to:** restricting a school district's
3 authority to increase its revenue limit by referendum.

Analysis by the Legislative Reference Bureau

Current law generally limits the total amount of revenue a school district may receive from general school aids and property taxes in a school year. However, there are several exceptions to the revenue limit. One exception to the revenue limit is an increase for funds needed to service general obligation debt issued by a school district, if the debt was approved by a referendum. This type of referendum is often referred to as a capital referendum.

This bill prohibits a school board from initiating the process for a capital referendum for borrowing other than for maintenance expenses if the school district received lower than a certain score for pupil achievement in reading and mathematics on the most recent school and school district accountability report. Specifically, the school board of a school district in which 2,000 or more pupils are enrolled is prohibited from initiating the capital referendum process if its overall pupil achievement score in reading and mathematics was below 60 points, and a school board of a school district in which fewer than 2,000 pupils are enrolled is prohibited from initiating the capital referendum process if its overall pupil achievement score in reading and mathematics was below 50 points. The bill also requires the Department of Public Instruction to use a 100 point scale for certain measures that are required to be included in the school and school district accountability report, including pupil achievement in reading and mathematics.

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For further information see the 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.** 67.05 (6a) (a) 2. (intro.) of the statutes is amended to read:

2 67.05 **(6a)** (a) 2. (intro.) Except as provided under subd. 3., pars. (b) and (c), and
3 subs. (7) and (15), and subject to the limit on the number of referendums that may
4 be called in any calendar year under subd. 2. a., if the board of any school district,
5 or the electors at a regularly called school district meeting, by a majority vote adopt
6 an initial resolution to raise an amount of money by a bond issue, the school district
7 clerk shall, within 10 days, publish notice of such adoption as a class 1 notice under
8 ch. 985 or post the notice as provided under s. 10.05. The notice shall state the
9 maximum amount proposed to be borrowed, the purpose of the borrowing, that the
10 resolution was adopted under this subdivision and the place where and the hours
11 during which the resolution may be inspected. The school board shall also do one of
12 the following:

13 **SECTION 2.** 67.05 (6a) (a) 3. of the statutes is created to read:

14 67.05 **(6a)** (a) 3. A board of a school district, or the electors at a regularly called
15 school district meeting, may not adopt a resolution under subd. 2. that would result
16 in an increase to the school district's revenue limit under s. 121.91 (4) (c) if the
17 purpose of the borrowing is other than for maintenance expenses and any of the
18 following applies to the school district:

19 a. The number of pupils enrolled in the school district is 2,000 or more and, on
20 the most recent school district accountability report published under s. 115.385 (1),

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1 the school district was assigned an overall score for pupil achievement in reading and
2 mathematics that is below 60 points.

3 b. The number of pupils enrolled in the school district is less than 2,000 and,
4 on the most recent school district accountability report published under s. 115.385
5 (1), the school district was assigned an overall score for pupil achievement in reading
6 and mathematics that is below 50 points.

7 **SECTION 3.** 115.385 (1) (a) (intro.) of the statutes is amended to read:

8 115.385 (1) (a) (intro.) Multiple measures, each of which is measured on a 100
9 point scale, to determine a school's performance or a school district's improvement,
10 including all of the following categorized by English language proficiency, disability,
11 income level, and race or ethnicity:

12 **SECTION 4. Initial applicability.**

13 (1) The treatment of s. 67.05 (6a) (a) 3. first applies to a resolution adopted on
14 the effective date of this subsection.

15 (END)