



## 2017 ASSEMBLY BILL 810

December 28, 2017 - Introduced by Representatives HORLACHER, E. BROOKS, KITCHENS, KULP, SKOWRONSKI and TUSLER. Referred to Committee on Education.

1 **AN ACT to amend** 119.04 (1) and 121.07 (6) (a) (intro.); and **to create** 120.13 (40)  
2 of the statutes; **relating to:** courses that generate a profit for a school district.

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### *Analysis by the Legislative Reference Bureau*

This bill expressly authorizes school boards to offer courses that include activities or course work that generate a profit for the school district (profit-generating courses). Under the bill, if a school board offers a profit-generating course, the school must spend any profits generated by the course for the purposes of offering profit-generating courses. Finally, this bill excludes expenditures of profits generated by a profit-generating course from a school district's shared costs. Shared costs is one the factors used to calculate general school aids.

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

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

3 **SECTION 1.** 119.04 (1) of the statutes, as affected by 2017 Wisconsin Act 59, is  
4 amended to read:

5 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
6 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,

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1 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 118.001  
2 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to  
3 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,  
4 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10),  
5 118.245, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46,  
6 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27),  
7 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), (38),  
8 and (39), and (40), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to  
9 a 1st class city school district and board but not, unless explicitly provided in this  
10 chapter or in the terms of a contract, to the commissioner or to any school transferred  
11 to an opportunity schools and partnership program.

12 **SECTION 2.** 120.13 (40) of the statutes is created to read:

13 120.13 **(40)** PROFIT-GENERATING COURSE WORK. Offer courses that include  
14 activities or course work that generate a profit for the school district. If a school board  
15 offers a course under this subsection, the school board shall expend profits generated  
16 by the course for the purpose of offering courses that include activities or course work  
17 that generate a profit for the school district.

18 **SECTION 3.** 121.07 (6) (a) (intro.) of the statutes is amended to read:

19 121.07 **(6)** (a) (intro.) “Shared cost” is the sum of the net cost of the general fund  
20 and the net cost of the debt service fund, except that “shared cost” excludes any costs,  
21 including attorney fees, incurred by a school district as a result of its participation  
22 in a lawsuit commenced against the state, beginning with such costs incurred in the  
23 fiscal year in which the lawsuit is commenced, excludes any expenditures from a  
24 capital improvement fund created under s. 120.135 or a capital improvement trust  
25 fund created under s. 120.137, excludes any expenditures from profits generated by

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1 courses offered under s. 120.13 (40), excludes any debt service costs associated with  
2 an environmental remediation project under s. 67.05 (7) (er), and excludes the costs  
3 of transporting those transfer pupils for whom the school district operating under ch.  
4 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
5 121.85 (6) (am). In this paragraph:

6 (END)