

2005 ASSEMBLY BILL 1216

May 4, 2006 – Introduced by Representatives RICHARDS, SHERIDAN, SINICKI, TURNER, JESKEWITZ and KESSLER. Referred to Committee on Education.

1 **AN ACT to amend** 118.27 and 119.18 (16) of the statutes; **relating to:** gifts or
2 grants made to a school district by a particular class.

Analysis by the Legislative Reference Bureau

Under current law, whenever a school board receives a gift or grant it must use or invest the gift or grant as the donor or grantor specifies. In the absence of any specific direction on the use of a gift or grant, the school board may determine the use.

This bill provides that if a school board receives a gift or grant from a class of a particular school, with no specific direction on the use of the gift or grant, the school board must use the gift or grant for the benefit of that school.

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

3 **SECTION 1.** 118.27 of the statutes is amended to read:

4 **118.27 Gifts and grants.** The school board of a district may receive, accept
5 and use gifts or grants of furniture, books, equipment, supplies, moneys, securities
6 or other property, real or personal, used or useful for school research and educational
7 purposes. All moneys received as gifts or grants shall be placed in the school district

ASSEMBLY BILL 1216**SECTION 1**

1 treasury but shall be considered segregated trust funds. Whenever a school board
2 receives gifts or grants under this section, it shall make such use thereof, or invest
3 the same in the case of moneys, as the donor or grantor specifies. ~~In the absence of~~
4 any Whenever a school board receives a gift or grant from a class of a particular
5 school, with no specific direction as to the use of the gift or grant, the school board
6 shall use the gift or grant for the benefit of that school. If a gift or grant is not a class
7 gift or grant, and no specific direction as to the use of such gifts or grants by a the
8 gift or grant is provided by the donor or grantor, the school board may determine the
9 use of or invest the same in accordance with the law applicable to trust investments.
10 In the use, control or investment of such gifts or grants, the school board may exercise
11 the rights and powers generally conferred upon trustees.

12 **SECTION 2.** 119.18 (16) of the statutes is amended to read:

13 119.18 (16) GIFTS AND GRANTS. The board may receive, accept and use gifts or
14 grants of furniture, books, equipment, supplies, moneys, securities or other property
15 used or useful for school and educational purposes. The board shall make such use
16 of gifts or grants, or invest the same in the case of moneys, as the donor or grantor
17 specifies. ~~In the absence of any~~ If the board receives a gift or grant from a class of
18 a particular school, with no specific direction as to the use of the gift or grant, the
19 board shall use the gift or grant for the benefit of that school. If a gift or grant is not
20 a class gift or grant and no specific direction as to the use of such gifts or grants by
21 a the gift or grant is provided by the donor or grantor, the board may determine the
22 use of or may invest the same in accordance with the law applicable to trust
23 investments. In the use, control or investment of such gifts or grants, the board may
24 exercise the rights and powers generally conferred upon trustees.

25 **SECTION 3. Initial applicability.**

ASSEMBLY BILL 1216

1 (1) This act first applies to a gift or grant received by a school board on the
2 effective date of this subsection.

3 (END)