2007 ASSEMBLY BILL 478

August 7, 2007 – Introduced by Representatives Richards, Sinicki, Hahn, Berceau, Townsend, Gunderson and Sheridan, cosponsored by Senator Lale. Referred to Committee on Education.

AN ACT to amend 118.27 and 119.18 (16) of the statutes; relating to: gifts or 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:

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

118.27 Gifts and grants. The school board of a district may receive, accept, and use gifts or grants of furniture, books, equipment, supplies, moneys, securities, or other property, real or personal, used or useful for school research and educational purposes. All moneys received as gifts or grants shall be placed in the school district
treytreasury but shall be considered segregated trust funds. Whenever a school board
receives gifts or grants under this section, it shall make such use thereof, or invest
the same in the case of moneys, as the donor or grantor specifies. In the absence of
anyWhenever a school board receives a gift or grant from a class of a particular
school, with no specific direction as to the use of the gift or grant, the school board
shall use the gift or grant for the benefit of that school. If a gift or grant is not a class
gift or grant, and no specific direction as to the use of such gifts or grants by a the
gift or grant is provided by the donor or grantor, the school board may determine the
use of or invest the same in accordance with the law applicable to trust investments.
In the use, control, or investment of such gifts or grants, the school board may
exercise the rights and powers generally conferred upon trustees.

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

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

SECTION 3. Initial applicability.
(1) This act first applies to a gift or grant received by a school board on the effective date of this subsection.