

**2017 DRAFTING REQUEST**

**Bill**

For: **Rob Hutton (608) 267-9836** Drafter: **fknepp**  
 By: **Katie** Secondary Drafters:  
 Date: **4/4/2017** May Contact:  
 Same as LRB: **-3308 -3995**

Submit via email: **YES**  
 Requester's email: **Rep.Hutton@legis.wisconsin.gov**  
 Carbon copy (CC) to: **fern.knepp@legis.wisconsin.gov**  
**tracy.kuczenski@legis.wisconsin.gov**  
**katie.bender-olson@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Monthly state aid payments

**Instructions:**

Require 12 equal monthly payments. Payments are made on 1st Friday of each month. Keep option for 10 payments but eliminate sub. (1g) (e).

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 4/7/2017				
/P1	fknepp 5/2/2017	jdyer 4/11/2017	lparisi 4/11/2017		State S&L
/P2	fknepp 6/2/2017	eweiss 6/2/2017	hkohn 5/3/2017		State S&L
/P3	fknepp		rmilford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	7/17/2017	jdye 7/17/2017	mbarman 7/17/2017	mbarman 7/31/2017	S&L  State S&L

FE Sent For:

<END>

at  
intro



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2785(?) / P1

FFK:

In 4-7  
sub 4-11

JLD  
RAN

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

X Gen

1 AN ACT ...; relating to: the payment of state aid to school districts. ✓

percent ✓ *Analysis by the Legislative Reference Bureau* percent ✓

This bill changes the timing of state aid payments to school districts. Under current law, a school district receives 15% of its state aid in September, 25% in December, 25% in March and 35% in June. Current law also provides an option for a school district to receive its state aid in 10 equal month payments from September to June. Under current law, if a school district opts to receive its state aid in 10 equal payments, the school district must compensate the state for any lost interest. ✓

Under the bill, school districts receive state aid in 12 equal monthly payments. The bill retains the option for a school district to receive its state aid in 10 equal payments but eliminates the requirement that such a school district compensate the state for any lost interest. ✓

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:***

2 SECTION 1. 121.15 (1) (a) of the statutes is amended to read: ✓

3 121.15 (1) (a) Each school district shall receive 15 percent onetwelfth of its total  
4 aid entitlement in September, 25 percent of its total aid entitlement in December, 25

1 ~~percent of its total aid entitlement in March and 35 percent of its total aid~~  
2 ~~entitlement in June each month.~~ ✓

History: 1977 c. 29 s. 1098; 1977 c. 273; Stats. 1977 s. 121.15; 1979 c. 34; 1985 a. 29, 120; 1987 a. 27; 1989 a. 207; 1993 a. 16, 437; 1995 a. 27 ss. 4073 to 4075m, 9145 (1); 1997 a. 27, 113, 228; 1997 a. 237 ss. 368v to 369, 727p; 1999 a. 9, 17; 2001 a. 16, 106, 109; 2003 a. 33; 2015 a. 55.

3 **SECTION 2. 121.15 (1) (b) of the statutes is amended to read:**

4 **121.15 (1) (b) For the September payment payments from July to November,**  
5 **the total aid entitlement for each district shall be estimated based upon the total aid**  
6 **payment in the previous year.**

History: 1977 c. 29 s. 1098; 1977 c. 273; Stats. 1977 s. 121.15; 1979 c. 34; 1985 a. 29, 120; 1987 a. 27; 1989 a. 207; 1993 a. 16, 437; 1995 a. 27 ss. 4073 to 4075m, 9145 (1); 1997 a. 27, 113, 228; 1997 a. 237 ss. 368v to 369, 727p; 1999 a. 9, 17; 2001 a. 16, 106, 109; 2003 a. 33; 2015 a. 55.

7 **SECTION 3. 121.15 (1) (e) of the statutes is amended to read:**

8 **121.15 (1) (e) Payments under this subsection shall be made on the first**  
9 **Monday of the month for the December payment, on the 3rd Monday of the month**  
10 **for the September and June payments and on the 4th Monday Friday of the each**  
11 **month for the March payment.** ✓

\*\*\*\*NOTE: Please note that the payment under sub. (1m) is made on the 4th Monday in July. This means that there will be two payments in July. Okay?

History: 1977 c. 29 s. 1098; 1977 c. 273; Stats. 1977 s. 121.15; 1979 c. 34; 1985 a. 29, 120; 1987 a. 27; 1989 a. 207; 1993 a. 16, 437; 1995 a. 27 ss. 4073 to 4075m, 9145 (1); 1997 a. 27, 113, 228; 1997 a. 237 ss. 368v to 369, 727p; 1999 a. 9, 17; 2001 a. 16, 106, 109; 2003 a. 33; 2015 a. 55.

12 **SECTION 4. 121.15 (1g) (e) of the statutes is repealed.**

13

(END)

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



5-2-17

Instructions from Katie Bender-Olson

Change payment schedules for  
independent charters &  
private schools in choice programs  
to 12 equal monthly payments



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2785/P1/P2  
FFK:jld

In 5-2  
out 5-3 (H)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

TODAY please

✓

Gen

1 AN ACT *to repeal* 121.15 (1g) (e); and *to amend* 121.15 (1) (a), 121.15 (1) (b) and  
2 121.15 (1) (e) of the statutes; **relating to:** the payment of state aid to school  
3 districts. relating clause insert ✓

**Analysis by the Legislative Reference Bureau**

This bill changes the timing of state aid payments to school districts. Under current law, a school district receives 15 percent of its state aid in September, 25 percent in December, 25 percent in March and 35 percent in June. Current law also provides an option for a school district to receive its state aid in ten equal monthly payments from September to June. Under current law, if a school district opts to receive its state aid in ten equal payments, the school district must compensate the state for any lost interest. *NOA*

*No D* Under the bill, school districts receive state aid in 12 equal monthly payments. The bill retains the option for a school district to receive its state aid in ten equal payments but eliminates the requirement that such a school district compensate the state for any lost interest.

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:**

SECTION 1. 121.15 (1) (a) of the statutes is amended to read:

*Analysis Insert 2*

*Analysis Insert 2* ✓

*IN* ✓  
4

1           121.15 (1) (a) Each school district shall receive 15 percent one-twelfth of its  
2 total aid entitlement in ~~September~~, 25 percent <sup>✓</sup> of its total aid entitlement in  
3 ~~December~~, 25 percent of its total aid entitlement in March and 35 percent of its total  
4 aid entitlement in June each month.

5           **SECTION 2.** 121.15 (1) (b) of the statutes is amended to read:

6           121.15 (1) (b) For the ~~September payment~~ payments from July to November,  
7 the total aid entitlement for each district shall be estimated based upon the total aid  
8 payment in the previous year.

9           **SECTION 3.** 121.15 (1) (e) of the statutes is amended to read:

10           121.15 (1) (e) Payments under this subsection shall be made on the first  
11 ~~Monday of the month for the December payment~~, on the 3rd Monday of the month  
12 ~~for the September and June payments and on the 4th Monday~~ Friday of the each  
13 month for the March payment.

\*\*\*\*NOTE: Please note that the payment under sub. (1m) is made on the 4th Monday  
in July. This means that there will be two payments in July. Okay?

14           **SECTION 4.** 121.15 (1g) (e) of the statutes is repealed.

15

(END)

2017-2018 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB  
.....

RELATING CLAUSE INSERT

1 ~~NO~~ and payments to operators of independent charter schools and private schools  
2 participating in a choice program or the special needs scholarship program ~~NO~~ ✓

END RELATING CLAUSE INSERT

ANALYSIS INSERT 1

~~NO~~ and of payments to operators of independent charter schools, private schools  
participating in a choice program, and private schools participating in the special  
needs scholarship program ~~NO~~ ✓

END ANALYSIS INSERT 1

ANALYSIS INSERT 2

Under current law, the Department of Public Instruction ✓ pays annual amounts  
due to operators of independent charter schools and to private schools participating  
in a choice program or the special needs scholarship program in ~~4~~ <sup>four</sup> equal quarterly  
installments. These installments are paid in September, November, February, and  
May. Under the bill, DPI ✓ will pay operators of independent charter schools and  
private schools participating in a choice program or the special needs scholarship  
program in ~~12~~ <sup>12</sup> equal monthly installments.

END ANALYSIS INSERT 2

INS

3 **SECTION 1.** 115.7915 (4m) (b) ✓ of the statutes is amended to read:  
4 115.7915 (4m) (b) The department shall pay ~~25 percent~~ of the total amount  
5 under par. (a) in September, ~~25 percent~~ in November, ~~25 percent~~ in February, and ~~25~~  
6 ~~percent~~ in May 12 equal monthly installments. ✓ Each installment may consist of a  
7 single check for all children attending the private school who are receiving a  
8 scholarship under par. (a).

\*\*\*\*NOTE: Payments to private schools participating in the ✓ special needs  
scholarship program are made in the same manner as payments to private schools  
participating in a choice program. Please let me know if it is not consistent with your  
intent to also change the payments under the special needs scholarship program ~~NO~~ ✓





1 SECTION 2. 118.40 (2r) (e) 3m. <sup>✓</sup> of the statutes is amended to read:

2 118.40 (2r) (e) 3m. The department shall pay 25 percent of the total amount  
3 in September, 25 percent in December, 25 percent in February, and 25 percent in  
4 June due to an operator of a charter school under this paragraph <sup>✓</sup> in 12 equal monthly  
5 installments. The department shall send the check to the operator of the charter  
6 school.

\*\*\*\*NOTE: Payments are made to operators of independent charter schools for pupils attending the school in the current school year. <sup>✓</sup> This new payment schedule requires payments to be made before the school term begins. How would you like the July and August payments to be calculated? Under this bill, the July to November payments to school districts are estimated based on the total aid payment in the previous year. This note applies to payments to all independent charter schools and to payments to private schools participating in a choice program or the special needs scholarship program. <sup>✓</sup>

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276; 2011 a. 10, 32, 105; 2013 a. 20; 2013 <sup>✓</sup> a. 173 s. 33; 2013 a. 257; 2015 a. 55; s. 35.17 correction in (2r) (e) 2p. a., (5) (intro.).

7 SECTION 3. 118.40 (2r) (f) 2. of the statutes is amended to read:

8 118.40 (2r) (f) 2. The department shall pay 25 percent of the total amount due  
9 to an operator of a charter school in September, 25 percent in December, 25 percent  
10 in February, and 25 percent in June <sup>✓</sup> under this paragraph in 12 equal monthly  
11 installments. <sup>✓</sup> The department shall send the check to the operator of the charter  
12 school.

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276; 2011 a. 10, 32, 105; 2013 a. 20; 2013 <sup>✓</sup> a. 173 s. 33; 2013 a. 257; 2015 a. 55; s. 35.17 correction in (2r) (e) 2p. a., (5) (intro.).

13 SECTION 4. 118.40 (2x) (e) 2. of the statutes is amended to read:

14 118.40 (2x) (e) 2. The department shall pay 25 percent of the total amount in  
15 September, 25 percent in December, 25 percent in February, and 25 percent in June  
16 due to an operator of a charter school under this paragraph <sup>✓</sup> in 12 equal monthly  
17 installments. The department shall send the check to the operator of the charter  
18 school.

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276; 2011 a. 10, 32, 105; 2013 a. 20; 2013 <sup>✓</sup> a. 173 s. 33; 2013 a. 257; 2015 a. 55; s. 35.17 correction in (2r) (e) 2p. a., (5) (intro.).

19 SECTION 5. 118.60 (4) (c) of the statutes is amended to read:



1           118.60 (4) (c) The state superintendent shall pay 25 percent of the total amount  
2           under this subsection in September, 25 percent in November, 25 percent in February,  
3           and 25 percent in May 12 equal monthly installments. Each installment may consist  
4           of a single check for all pupils attending the private school under this section. The  
5           state superintendent shall include the entire amount under sub. (4m) in the  
6           November installment, but the payment shall be made in a separate check from the  
7           payment under this subsection.

8           History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 473 s. 33; 2013 a. 237, 256; 2015 a. 55, 72, 212, 297, 338.

8           **SECTION 6. 119.23 (4) (c)** of the statutes is amended to read:

9           119.23 (4) (c) The state superintendent shall pay 25 percent of the total amount  
10          under this subsection in September, 25 percent in November, 25 percent in February,  
11          and 25 percent in May 12 equal monthly installments. Each installment may consist  
12          of a single check for all pupils attending the private school under this section. The  
13          state superintendent shall include the entire amount under sub. (4m) in the  
14          November installment, but the payment shall be made in a separate check from the  
15          payment under this subsection.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8, 20, 165; 2013 a. 166 s. 77; 2013 a. 237, 256; 2015 a. 55, 195, 212, 297, 338.

End Jas

## Knepp, Fern

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**From:** Pratt, Phillip  
**Sent:** Friday, June 02, 2017 10:05 AM  
**To:** Knepp, Fern  
**Subject:** FW: Draft review: LRB -2785/P2  
**Attachments:** 17-2785/P2.pdf

Fern,

Could you update the draft of this bill to a P3 with the following changes?

- Start this in school year 18-19
- If a public school chooses the 12 month payment schedule then the July, August, September, October payments should all be based on prior year counts for public schools. ✓
  - Please include that the November payment would be adjusted to reflect that actual counts for these 4 month.
- Put the month of July instead of specifying the date due —?
- New independent charter and choice schools joining the program wouldn't get any payments until September, when they first take in students
- For independent charter or choice schools in the second and subsequent years the July and August payment should be based on the prior year counts

If you have any questions give me a call. Thanks!

Phillip Pratt  
Office of Rep. Hutton  
13<sup>th</sup> Assembly District  
608.267.9837

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**From:** LRB.Legal  
**Sent:** Wednesday, May 03, 2017 1:23 PM  
**To:** Rep.Hutton <Rep.Hutton@legis.wisconsin.gov>  
**Subject:** Draft review: LRB -2785/P2

Following is the PDF version of draft LRB -2785/P2.



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2785/P2

FFK:jld

In 6-2  
TODAY?

P3  
RWR  
semw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

S.A.  
KRP  
PWR

1 **AN ACT to repeal** 121.15 (1g) (e); and **to amend** 115.7915 (4m) (b), 118.40 (2r)

2 (e) 3m., 118.40 (2r) (f) 2., 118.40 (2x) (e) 2., 118.60 (4) (c), 119.23 (4) (c), 121.15

3 (1) (a), 121.15 (1) (b) and 121.15 (1) (e) of the statutes; **relating to:** the payment

4 of state aid to school districts and payments to operators of independent charter

5 schools and private schools participating in a choice program or the special

6 needs scholarship program.

*Beginning in the 2018-19 school year*  
**Analysis by the Legislative Reference Bureau**

This bill changes the timing of state aid payments to school districts and of payments to operators of independent charter schools, private schools participating in a choice program, and private schools participating in the special needs scholarship program.

Under current law, a school district receives 15 percent of its state aid in September, 25 percent in December, 25 percent in March and 35 percent in June. Current law also provides an option for a school district to receive its state aid in ten equal monthly payments from September to June. Under current law, if a school district opts to receive its state aid in ten equal payments, the school district must compensate the state for any lost interest. Under the bill, school districts receive state aid in 12 equal monthly payments. The bill retains the option for a school district to receive its state aid in ten equal payments but eliminates the requirement that such a school district compensate the state for any lost interest.

*Other than for the first school year in which payments received*

Under current law, the Department of Public Instruction pays annual amounts due to operators of independent charter schools and to private schools participating in a choice program or the special needs scholarship program in four equal quarterly installments. These installments are paid in September, November, February, and May. Under the bill, DPI will pay operators of independent charter schools and private schools participating in a choice program or the special needs scholarship program in 12 equal monthly installments. *For the first school year in which an operator of an independent charter school or private school participating in a choice program receives a payment from DPI, DPI pays*

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:**

Ins 1

1 **SECTION 1.** 115.7915 (4m) (b) of the statutes is amended to read:  
2 115.7915 (4m) (b) The department shall pay 25 percent of the total amount  
3 under par. (a) in September, 25 percent in November, 25 percent in February, and 25  
4 percent in May 12 equal monthly installments. Each installment may consist of a  
5 single check for all children attending the private school who are receiving a  
6 scholarship under par. (a).

*the annual amount due in 12 equal monthly installments*

\*\*\*NOTE: Payments to private schools participating in the special needs scholarship program are made in the same manner as payments to private schools participating in a choice program. Please let me know if it is not consistent with your intent to also change the payments under the special needs scholarship program.

7 **SECTION 2.** 118.40 (2r) (e) 3m. of the statutes is amended to read:  
8 118.40 (2r) (e) 3m. The department shall pay 25 percent of the total amount  
9 in September, 25 percent in December, 25 percent in February, and 25 percent in  
10 June due to an operator of a charter school under this paragraph in 12 equal monthly  
11 installments. The department shall send the check to the operator of the charter  
12 school.

\*\*\*NOTE: Payments are made to operators of independent charter schools for pupils attending the school in the current school year. This new payment schedule requires payments to be made before the school term begins. How would you like the July and August payments to be calculated? Under this bill, the July to November payments to school districts are estimated based on the total aid payment in the previous year. This note applies to payments to all independent charter schools and to payments to private schools participating in a choice program or the special needs scholarship program.

1 SECTION 3. 118.40 (2r) (f) 2. of the statutes is amended to read:

2 118.40 (2r) (f) 2. The department shall pay 25 percent of the total amount due  
3 to an operator of a charter school in September, 25 percent in December, 25 percent  
4 in February, and 25 percent in June under this paragraph in 12 equal monthly  
5 installments. The department shall send the check to the operator of the charter  
6 school.

7 SECTION 4. 118.40 (2x) (e) 2. of the statutes is amended to read:

8 118.40 (2x) (e) 2. The department shall pay 25 percent of the total amount in  
9 September, 25 percent in December, 25 percent in February, and 25 percent in June  
10 due to an operator of a charter school under this paragraph in 12 equal monthly  
11 installments. The department shall send the check to the operator of the charter  
12 school.

13 SECTION 5. 118.60 (4) (c) of the statutes is amended to read:

14 118.60 (4) (c) <sup>1, Except as provided in subd. 2,</sup> The state superintendent shall pay 25 percent of the total amount  
15 under this subsection in September, 25 percent in November, 25 percent in February,  
16 and 25 percent in May 12 equal monthly installments. Each installment may consist  
17 of a single check for all pupils attending the private school under this section. The  
18 state superintendent shall include the entire amount under sub. (4m) in the  
19 November installment, but the payment shall be made in a separate check from the  
20 payment under this subsection.

21 SECTION 6. 119.23 (4) (c) of the statutes is amended to read:

22 119.23 (4) (c) The state superintendent shall pay 25 percent of the total amount  
23 under this subsection in September, 25 percent in November, 25 percent in February,  
24 and 25 percent in May 12 equal monthly installments. Each installment may consist  
25 of a single check for all pupils attending the private school under this section. The

IMS →

*renumbered and amended to 118.60(4)(c) 1.*

1 state superintendent shall include the entire amount under sub. (4m) in the  
2 November installment, but the payment shall be made in a separate check from the  
3 payment under this subsection.

4 SECTION 7. 121.15 (1) (a) of the statutes is amended to read:

5 121.15 (1) (a) Each school district shall receive ~~15 percent~~ one-twelfth of its  
6 total aid entitlement ~~in September, 25 percent of its total aid entitlement in~~  
7 ~~December, 25 percent of its total aid entitlement in March and 35 percent of its total~~  
8 ~~aid entitlement in June~~ each month.

9 SECTION 8. 121.15 (1) (b) of the statutes is amended to read:

10 121.15 (1) (b) For the ~~September payment~~ payments from July to <sup>October</sup> ~~November~~  
11 the total aid entitlement for each district shall be estimated based upon the total aid  
12 payment in the previous year. Ins 4-12

13 SECTION 9. 121.15 (1) (e) of the statutes is amended to read:

14 121.15 (1) (e) Payments under this subsection shall be made on the first  
15 ~~Monday of the month for the December payment, on the 3rd Monday of the month~~  
16 ~~for the September and June payments and on the 4th Monday~~ Friday of the each  
17 month for the ~~March~~ payment. Ins 4-17

18 SECTION 10. 121.15 (1g) (e) of the statutes is repealed.

19 (END)

Ins 4-18

2017-2018 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2785/P3ins  
FFK...

INS

1 SECTION 1. 115.7915 (4m) (b) of the statutes is renumbered 115.7915 (4m) (b)

2 1. a. and amended to read:

3 115.7915 (4m) (b) 1. a. ~~The~~ Except as provided in subd. 1. b., the department  
4 shall pay 25 percent of the total amount under par. (a) in ~~September~~, 25 percent in  
5 November, 25 percent in February, and 25 percent in May 12 equal monthly  
6 installments.

7 2. Each installment under this paragraph may consist of a single check for all  
8 children attending the private school who are receiving a scholarship under par. (a).

9 History: 2015 a. 55, 289, 297; s. 13.92 (2) (i).

9 SECTION 2. 115.7915 (4m) (b) 1. b. of the statutes is created to read:

10 115.7915 (4m) (b) 1. b. During the first school year that a child attends a private  
11 school under this section, the department shall pay the private school the total <sup>amount</sup>  
12 par. (a) in 10 equal monthly installments, the first of which shall be paid in  
13 September.

\*\*\*\*NOTE: Please confirm this paragraph is consistent with your intent. Please note  
\* this provision applies to the first year that a child attends a private school using a special  
\* needs scholarship, rather than the first year a private school participates in the program.  
Okay?

14 SECTION 3. 118.40 (2r) (e) 3m. of the statutes is repealed.

15 SECTION 4. 118.40 (2r) (f) 1. of the statutes is renumbered 118.40 (2r) (f).

16 SECTION 5. 118.40 (2r) (f) 2. of the statutes is repealed.

17 SECTION 6. 118.40 (2r) (fm) of the statutes is created to read:

18 118.40 (2r) (fm) 1. Except as provided in subd. 1. b., the department shall pay  
19 an operator of a charter school the total amount due <sup>to</sup> under par. (e) or (f) in 12 equal  
20 monthly installments. Payments made in July and August shall be calculated using  
21 the number of pupils who attended the charter school in the previous school year.



1 b. During the first school year that a charter school is in operation, the state  
2 superintendent <sup>department</sup> shall pay the operator of the charter school the total amount due  
3 under par. (e) or (f) in 10 equal monthly installments, the first of which shall be paid  
4 in September.

5 2. Each installment under this paragraph may consist of a single check for all  
6 pupils attending the charter school. The department shall send installments under  
7 this paragraph to the operator of the charter school.

\*\*\*\*NOTE: This language is slightly different that current law. Please confirm that  
it is consistent with your intent. ✓

8 **SECTION 7.** 118.40 (2r) (g) 1. d. of the statutes is amended to read:

9 118.40 (2r) (g) 1. d. Multiply the number of pupils under subd. 1. c. by the per  
10 pupil amount calculated under par. (f) 1. for that school year.

*as affected by 2017 Wisconsin Act... (January 2017 Special Session)*  
History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276; 2011 a. 10, 32, 105; 2013 a. 20; 2013 a. 173 s. 33; 2013 a. 257; 2015 a. 55; s. 35.17 correction in (2r) (e) 2p. a., (5) (intro.).

11 **SECTION 8.** 118.40 (2x) (e) 2. of the statutes is amended to read:

*Assembly Bill (6),*

12 118.40 (2x) (e) 2. The department shall pay 25 percent of an operator of a  
13 charter school the total amount <sup>required to be paid</sup> due under this paragraph in September, 25 percent  
14 in December, 25 percent in February, and 25 percent in June. The department shall  
15 send the check to the operator of the charter school the manner described in sub. (2r)  
16 (fm).

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276; 2011 a. 10, 32, 105; 2013 a. 20; 2013 a. 173 s. 33; 2013 a. 257; 2015 a. 55; s. 35.17 correction in (2r) (e) 2p. a., (5) (intro.).

17 **SECTION 9.** 118.60 (4) (c) of the statutes is renumbered 118.60 (4) (c) 1. a. and  
18 amended to read:

19 118.60 (4) (c) 1. a. The Except as provided in subd. 1. b., the state  
20 superintendent shall pay 25 percent of the total amount under this subsection in  
21 September, 25 percent in November, 25 percent in February, and 25 percent in May  
22 12 equal monthly installments. The payments made in July and August shall be

1 calculated using the number of pupils enrolled in the private school under this  
2 section in the previous school year.

3 2. Each installment under this paragraph may consist of a single check for all  
4 pupils attending the private school under this section. The state superintendent  
5 shall include the entire amount under sub. (4m) in the November installment, but  
6 the payment shall be made in a separate check from the payment under this  
7 subsection.

8 History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 179 s. 33; 2013 a. 237, 256; 2015 a. 55, 72, 212, 297, 338.

8 **SECTION 10.** 118.60 (4) (c) 1. b. of the statutes is created to read:

9 118.60 (4) (c) 1. b. During the first school year that a private school participates  
10 in the program under this section, the state superintendent shall pay the private  
11 school the total amount under this subsection in 10 equal monthly installments, the  
12 first of which shall be paid in September.

13 **SECTION 11.** 119.23 (4) (c) of the statutes is renumbered 119.23 (4) (c) 1. a. and  
14 amended to read:

15 119.23 (4) (c) 1. a. The Except as provided in subd. 1. b., the state  
16 superintendent shall pay ~~25 percent~~ of the total amount under this subsection in  
17 ~~September, 25 percent in November, 25 percent in February, and 25 percent in May~~  
18 12 equal monthly installments. The payments made in July and August shall be  
19 calculated using the number of pupils enrolled in the private school under this  
20 section in the previous school year.

21 2. Each installment under this paragraph may consist of a single check for all  
22 pupils attending the private school under this section. The state superintendent  
23 shall include the entire amount under sub. (4m) in the November installment, but

1 the payment shall be made in a separate check from the payment under this  
2 subsection.

**History:** 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8, 20, 165; 2013 a. 166 s. 77; 2013 a. 233, 256; 2015 a. 55, 195, 212, 297, 338.

3 **SECTION 12. 119.23 (4) (c) 1. b. of the statutes is created to read:**

4 119.23 (4) (c) 1. b. During the first school year that a private school participates  
5 in the program under this section, the state superintendent shall pay the private  
6 school the total amount under this subsection in 10 equal monthly installments, the  
7 first of which shall be paid in September.

END INS /

INS 4-12

8 ⊙ The November payment shall be adjusted to account for any difference between  
9 total amount paid from July to October and one-third of the school district's total aid  
10 entitlement for the school year

END INS 4-12

INS 4-17

11 , except that the July payment may be made on any day of that month ✓

END INS 4-17  
INS 4-18

12 **SECTION 13. Initial applicability.** ✓

13 (1) This act first applies to first applies to payments made in the 2018-19 school  
14 year.

End Ins 4-18

## Knepp, Fern

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**From:** Pratt, Phillip  
**Sent:** Monday, July 17, 2017 10:43 AM  
**To:** Knepp, Fern  
**Cc:** Zantow, Jenna  
**Subject:** drafting  
**Attachments:** 17-2785\_P3.pdf

Fern,

Could we get this bill drafted as a /1? Could you also draft a Senate companion for Senator Olsen's office? I have CC'ed Jenna from his office for confirmation.

Thanks!

Phillip Pratt  
Office of Rep. Hutton  
13<sup>th</sup> Assembly District  
608.267.9837



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2785/P3/1  
FFK:jld&emw RMR

In 7-17 TODAY

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

✓ Regen

1 AN ACT *to repeal* 118.40 (2r) (e) 3m., 118.40 (2r) (f) 2. and 121.15 (1g) (e); *to*  
2 *renumber* 118.40 (2r) (f) 1.; *to renumber and amend* 115.7915 (4m) (b),  
3 118.60 (4) (c) and 119.23 (4) (c); *to amend* 118.40 (2r) (g) 1. d., 118.40 (2x) (e)  
4 2., 121.15 (1) (a), 121.15 (1) (b) and 121.15 (1) (e); and *to create* 115.7915 (4m)  
5 (b) 1. b., 118.40 (2r) (fm), 118.60 (4) (c) 1. b. and 119.23 (4) (c) 1. b. of the statutes;  
6 **relating to:** the payment of state aid to school districts and payments to  
7 operators of independent charter schools and private schools participating in  
8 a choice program or the Special Needs Scholarship Program. ✓

***Analysis by the Legislative Reference Bureau***

Beginning in the 2018-19 school year, this bill changes the timing of state aid payments to school districts and of payments to operators of independent charter schools, private schools participating in a choice program, and private schools participating in the Special Needs Scholarship Program.

Under current law, a school district receives 15 percent of its state aid in September, 25 percent in December, 25 percent in March and 35 percent in June. Current law also provides an option for a school district to receive its state aid in ten equal monthly payments from September to June. Under current law, if a school district opts to receive its state aid in ten equal payments, the school district must

compensate the state for any lost interest. Under the bill, school districts receive state aid in 12 equal monthly payments. The bill retains the option for a school district to receive its state aid in ten equal payments but eliminates the requirement that such a school district compensate the state for any lost interest.

Under current law, the Department of Public Instruction pays annual amounts due to operators of independent charter schools and to private schools participating in a choice program or the Special Needs Scholarship Program in four equal quarterly installments. These installments are paid in September, November, February, and May. Under the bill, other than for the first school year in which payments are received, DPI pays operators of independent charter schools and private schools participating in a choice program or the Special Needs Scholarship Program in 12 equal monthly installments. For the first school year in which an operator of an independent charter school or private school participating in a choice program receives a payment from DPI, DPI pays the annual amount due in ten equal monthly installments.

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

*and for  
year in  
a pupil/participate  
in the  
Special Needs  
Scholarship  
Program*

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

1           **SECTION 1.** 115.7915 (4m) (b) of the statutes is renumbered 115.7915 (4m) (b)

2           1. a. and amended to read:

3           115.7915 (4m) (b) 1. a. The Except as provided in subd. 1. b., the department  
4           shall pay 25 percent of the total amount under par. (a) in September, 25 percent in  
5           November, ~~25 percent in February, and 25 percent in May~~ 12 equal monthly  
6           installments.

7           2. Each installment under this paragraph may consist of a single check for all  
8           children attending the private school who are receiving a scholarship under par. (a).

9           **SECTION 2.** 115.7915 (4m) (b) 1. b. of the statutes is created to read:

10           115.7915 (4m) (b) 1. b. During the first school year that a child attends a private  
11           school under this section, the department shall pay the private school the total  
12           amount under par. (a) in 10 equal monthly installments, the first of which shall be  
13           paid in September.

\*\*\*\*NOTE: Please confirm this paragraph is consistent with your intent. Please note this provision applies to the first year that a child attends a private school using a Special Needs Scholarship, rather than the first year a private school participates in the program. Okay?

1           **SECTION 3.** 118.40 (2r) (e) 3m. of the statutes is repealed.

2           **SECTION 4.** 118.40 (2r) (f) 1. of the statutes is renumbered 118.40 (2r) (f).

3           **SECTION 5.** 118.40 (2r) (f) 2. of the statutes is repealed.

4           **SECTION 6.** 118.40 (2r) (fm) of the statutes is created to read:

5           118.40 (2r) (fm) 1. a. Except as provided in subd. 1. b., the department shall  
6           pay an operator of a charter school the total amount due under par. (e) or (f) in 12  
7           equal monthly installments. Payments made in July and August shall be calculated  
8           using the number of pupils who attended the charter school in the previous school  
9           year.

10           b. During the first school year that a charter school is in operation, the  
11           department shall pay the operator of the charter school the total amount due under  
12           par. (e) or (f) in 10 equal monthly installments, the first of which shall be paid in  
13           September.

14           2. Each installment under this paragraph may consist of a single check for all  
15           pupils attending the charter school. The department shall send installments under  
16           this paragraph to the operator of the charter school.

\*\*\*\*NOTE: This language is slightly different that current law. Please confirm that it is consistent with your intent.

17           **SECTION 7.** 118.40 (2r) (g) 1. d. of the statutes is amended to read:

18           118.40 (2r) (g) 1. d. Multiply the number of pupils under subd. 1. c. by the per  
19           pupil amount calculated under par. (f) 1. for that school year.

20           **SECTION 8.** 118.40 (2x) (e) 2. of the statutes, as affected by 2017 Wisconsin Act  
21           .... (January 2017 Special Session Assembly Bill 6), is amended to read:

1           118.40 (2x) (e) 2. The department shall pay ~~25 percent of an operator of a~~  
2 charter school the total amount required to be paid under this paragraph in  
3 ~~September, 25 percent in December, 25 percent in February, and 25 percent in June.~~  
4 The department shall send the check to the operator of the charter school the manner  
5 described in sub. (2r) (fm).

6           **SECTION 9.** 118.60 (4) (c) of the statutes is renumbered 118.60 (4) (c) 1. a. and  
7 amended to read:

8           118.60 (4) (c) 1. a. The Except as provided in subd. 1. b., the state  
9 superintendent shall pay ~~25 percent of the total amount under this subsection in~~  
10 ~~September, 25 percent in November, 25 percent in February, and 25 percent in May~~  
11 12 equal monthly installments. The payments made in July and August shall be  
12 calculated using the number of pupils enrolled in the private school under this  
13 section in the previous school year.

14           2. Each installment under this paragraph may consist of a single check for all  
15 pupils attending the private school under this section. The state superintendent  
16 shall include the entire amount under sub. (4m) in the November installment, but  
17 the payment shall be made in a separate check from the payment under this  
18 subsection.

19           **SECTION 10.** 118.60 (4) (c) 1. b. of the statutes is created to read:

20           118.60 (4) (c) 1. b. During the first school year that a private school participates  
21 in the program under this section, the state superintendent shall pay the private  
22 school the total amount under this subsection in 10 equal monthly installments, the  
23 first of which shall be paid in September.

24           **SECTION 11.** 119.23 (4) (c) of the statutes is renumbered 119.23 (4) (c) 1. a. and  
25 amended to read:



1           119.23 (4) (c) 1. a. The Except as provided in subd. 1. b., the state  
2           superintendent shall pay ~~25 percent~~ of the total amount under this subsection in  
3           ~~September, 25 percent in November, 25 percent in February, and 25 percent in May~~  
4           12 equal monthly installments. The payments made in July and August shall be  
5           calculated using the number of pupils enrolled in the private school under this  
6           section in the previous school year.

7           2. Each installment under this paragraph may consist of a single check for all  
8           pupils attending the private school under this section. The state superintendent  
9           shall include the entire amount under sub. (4m) in the November installment, but  
10          the payment shall be made in a separate check from the payment under this  
11          subsection.

12          **SECTION 12.** 119.23 (4) (c) 1. b. of the statutes is created to read:

13          119.23 (4) (c) 1. b. During the first school year that a private school participates  
14          in the program under this section, the state superintendent shall pay the private  
15          school the total amount under this subsection in 10 equal monthly installments, the  
16          first of which shall be paid in September.

17          **SECTION 13.** 121.15 (1) (a) of the statutes is amended to read:

18          121.15 (1) (a) Each school district shall receive ~~15 percent~~ one-twelfth of its  
19          total aid entitlement ~~in September, 25 percent of its total aid entitlement in~~  
20          ~~December, 25 percent of its total aid entitlement in March and 35 percent of its total~~  
21          ~~aid entitlement in June~~ each month.

22          **SECTION 14.** 121.15 (1) (b) of the statutes is amended to read:

23          121.15 (1) (b) For the ~~September payment~~ payments from July to October, the  
24          total aid entitlement for each district shall be estimated based upon the total aid  
25          payment in the previous year. The November payment shall be adjusted to account

1 for any difference between the total amount paid from July to October and one-third  
2 of the school district's total aid entitlement for the school year.

3 **SECTION 15.** 121.15 (1) (e) of the statutes is amended to read:

4 121.15 (1) (e) Payments under this subsection shall be made on the first  
5 ~~Monday of the month for the December payment, on the 3rd Monday of the month~~  
6 ~~for the September and June payments and on the 4th Monday~~ Friday of the each  
7 ~~month for the March payment, except that the July payment may be made on any~~  
8 day of that month.

9 **SECTION 16.** 121.15 (1g) (e) of the statutes is repealed.

10 **SECTION 17. Initial applicability.**

11 (1) This act first applies to payments made in the 2018-19 school year.

12 (END)

**Barman, Mike**

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**From:** Pratt, Phillip  
**Sent:** Monday, July 31, 2017 10:49 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2785/1

Please Jacket LRB -2785/1 for the ASSEMBLY.