

**2019 DRAFTING REQUEST**

**Bill**

For: **Administration-Budget** Drafter: **fknepp**  
 By: **Kyle** Secondary Drafters:  
 Date: **1/31/2019** May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email:  
 Carbon copy (CC) to: **fern.knepp@legis.wisconsin.gov**  
**krista.pleviak@legis.wisconsin.gov**  
**doasbostatlanguage@wisconsin.gov**

**Pre Topic:**

DOA:.....Kyle, BB0236 -

**Topic:**

Align Payment Indexing Drafts

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 1/31/2019	ccarmich 2/1/2019			
/P1	fknepp 2/21/2019		dwalker 2/1/2019		State S&L
/P2		ccarmich 2/21/2019	jmurphy 2/21/2019		State S&L

FE Sent For: **<END>**

## **Knepp, Fern**

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**From:** Hanaman, Cathlene  
**Sent:** Tuesday, January 29, 2019 3:26 PM  
**To:** Knepp, Fern; Pleviak, Krista  
**Subject:** FW: Statutory Language Drafting Request - 2019-21

**From:** Kretschmann, Kyle - DOA <Kyle.Kretschmann@wisconsin.gov>  
**Sent:** Tuesday, January 29, 2019 3:25 PM  
**To:** Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>  
**Cc:** Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>; Kretschmann, Kyle - DOA <Kyle.Kretschmann@wisconsin.gov>  
**Subject:** Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Align Payment Indexing Drafts

Tracking Code: BB0236

SBO Team: EWD

SBO Analyst: Kretschmann, Kyle  
Phone: 608-266-8593  
E-mail: [kyle.kretschmann@wisconsin.gov](mailto:kyle.kretschmann@wisconsin.gov)

Agency Acronym: 255

Agency Number: 255

Priority: Low

Intent:

Combine all drafts that change the indexing for per pupil payments for choice, charter and open enrollment to revenue limit adjustments and per pupil aid increases. Draw on draft LRB-821/P1

Attachments: False

Please send completed drafts to [SBOSatlanguage@spmail.enterprise.wistate.us](mailto:SBOSatlanguage@spmail.enterprise.wistate.us)



State of Wisconsin  
2019 - 2020 LEGISLATURE

-01717/P1  
LRB-0821/P1  
FFK:cdc  
Rumr

In 1-31

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

slav  
x-ref  
s/c

Ø

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, the per pupil payment amounts under the the Milwaukee Parental Choice Program, the Racine Parental Choice Program, the statewide parental choice program, and the Special Needs Scholarship Program, the per pupil payment amount to independent charter schools, the transfer amounts under the full-time open enrollment program, and the required transfer amount for a child with a disability in a whole grade sharing agreement (collectively “per pupil payments”) are adjusted annually. The annual adjustment for per pupil payments is an amount equal to the sum of any per member revenue limit increase that applies to school districts in that school year and any per member increase in categorical aids between the current school year and the previous school year. Under the bill, beginning in the 2019-20 school year, the annual adjustment for per pupil payments is the sum of the per member revenue limit increase that applies to school districts in that school year, if any, and the increase, if any, in the per member amount of per pupil aid paid to school districts between the previous school year and the current school year.

For further information see the *state and 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:*

1           **SECTION 1.** 115.363 (2) (b) of the statutes is amended to read:

2           115.363 (2) (b) The school board shall pay to each nonprofit corporation with  
3 which it contracts under par. (a) an amount that is no more than the amount paid  
4 per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p~~ 2q. in the current school year  
5 multiplied by the number of pupils participating in the program under the contract.

6           **SECTION 2.** 115.7915 (4m) (a) 2. b. of the statutes is amended to read:

7           115.7915 (4m) (a) 2. b. Beginning in ~~In~~ the 2018-19 school year and subject to  
8 subd. 3., the sum of the scholarship amount under this subdivision for the previous  
9 school year; the amount of the per pupil revenue limit adjustment under s. 121.91  
10 (2m) for the current school year, if positive; and the change in the amount of  
11 statewide categorical aid per pupil between the previous school year and the current  
12 school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

13           **SECTION 3.** 115.7915 (4m) (a) 2. c. of the statutes is created to read:

14           115.7915 (4m) (a) 2. c. Beginning in the 2019-20 school year and subject to  
15 subd. 3., the sum of the scholarship amount under this subdivision for the previous  
16 school year; the amount of the per pupil revenue limit adjustment under s. 121.91  
17 (2m) for the current school year, if positive; and the change in the per pupil amount  
18 under s. 115.437 (2) (a) between the previous school year and the current school year,  
19 if positive.

20           **SECTION 4.** 115.7915 (4m) (a) 3. of the statutes is amended to read:

1 115.7915 (4m) (a) 3. Beginning in the 2019-20 school year, if a private school  
2 submitted a financial statement for a child with a disability under sub. (4c) in the  
3 previous school year, the amount shown on the financial statement for that child for  
4 the previous school year, up to 150 percent of the amount calculated under subd. 2.  
5 b. or c. for the current school year.

6 SECTION 5. 115.7915 (4m) (cm) (intro.) of the statutes is amended to read:

7 115.7915 (4m) (cm) (intro.) If a private school receives a payment under par.  
8 (a) 3. and the amount shown on the financial statement submitted for the child with  
9 a disability under sub. (4c) in the previous school year is greater than 150 percent  
10 of the amount calculated under par. (a) 2. ~~b. c.~~ for the current school year, the  
11 department shall pay to the private school, from the appropriation under s. 20.255  
12 (2) (az), the amount determined as follows:

13 SECTION 6. 115.7915 (4m) (cm) 1. of the statutes is amended to read:

14 115.7915 (4m) (cm) 1. Multiply the amount calculated under par. (a) 2. ~~b. c.~~ for  
15 the current school year by 1.5.

16 SECTION 7. 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

17 118.40 (2r) (e) 2p. (intro.) <sup>Beginning in</sup> ~~In~~ the 2015-16, 2016-17, 2017-18, and 2018-19  
~~school year and in each~~ <sup>ending in the 2018-19</sup> school year ~~thereafter~~ <sup>years</sup>, for a pupil attending a charter  
18 school established by or under a contract with an entity under par. (b) 1. a. to f., from  
19 the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator  
20 of the charter school an amount equal to the sum of the amount paid per pupil under  
21 this paragraph in the previous school year; the amount of the per pupil revenue limit  
22 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
23 change in the amount of statewide categorical aid per pupil between the previous  
24

1 school year and the current school year, if positive. The change in the statewide  
2 categorical aid per pupil shall be determined as follows:

3 **SECTION 8.** 118.40 (2r) (e) 2q. of the statutes is created to read:

4 118.40 (2r) (e) 2q. Beginning in the 2019-20 school year and in each school year  
5 thereafter, for a pupil attending a charter school established by or under a contract  
6 with an entity under par. (b) 1. a. to f., from the appropriation under s. 20.255 (2) (fm),  
7 the department shall pay to the operator of the charter school an amount equal to the  
8 sum of the amount paid per pupil under this paragraph in the previous school year;  
9 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the  
10 current school year, if positive; and the change in the per pupil amount under s.  
11 115.437 (2) (a) between the previous school year and the current school year, if  
12 positive.

13 **SECTION 9.** 118.40 (2r) (g) 1. b. of the statutes is amended to read:

14 118.40 (2r) (g) 1. b. Multiply the number of pupils under subd. 1. a. by the per  
15 pupil amount calculated under par. (e) ~~2p.~~ 2q. for that school year.

16 **SECTION 10.** 118.50 (2m) (a) 2. of the statutes is amended to read:

17 118.50 (2m) (a) 2. ~~Beginning in~~ In the 2017-18 and 2018-19 school year years,  
18 the sum of the per pupil amount under this paragraph for the previous school year;  
19 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the  
20 current school year, if positive; and the change in the amount of statewide categorical  
21 aid per pupil between the previous school year and the current school year, as  
22 determined under s. 118.40 (2r) (e) 2p., if positive.

23 **SECTION 11.** 118.50 (2m) (a) 3. of the statutes is created to read:

24 118.50 (2m) (a) 3. Beginning in the 2019-20 school year, the sum of the per  
25 pupil amount under this paragraph for the previous school year; the amount of the

1 per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year,  
2 if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between  
3 the previous school year and the current school year, if positive.

4 SECTION 12. 118.51 (16) (a) 3. b. of the statutes is amended to read:

5 118.51 (16) (a) 3. b. ~~Beginning with~~ <sup>no strike</sup> For the amount in the 2015-16, ~~2016-17,~~  
6 ~~2017-18, and 2018-19~~ <sup>and ending with the amount in the</sup> school year and years, except as provided in subd. 3. c., in each <sup>2018-19</sup>  
7 school year thereafter, <sup>no strike</sup> the sum of the amount determined under this subdivision for <sup>School</sup>  
8 the previous school year; the amount of the per pupil revenue limit adjustment under <sup>year</sup>  
9 s. 121.91 (2m) for the current school year, if positive; and the change in the amount  
10 of statewide categorical aid per pupil between the previous school year and the  
11 current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

12 SECTION 13. 118.51 (16) (a) 3. bm. of the statutes is created to read:

13 118.51 (16) (a) 3. bm. Beginning with the amount for the 2019-20 school year,  
14 except as provided in subd. 3. c., and in each school year thereafter, the sum of the  
15 amount determined under this subdivision for the previous school year; the amount  
16 of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school  
17 year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a)  
18 between the previous school year and the current school year, if positive.

19 SECTION 14. 118.51 (16) (a) 3. c. of the statutes is amended to read:

20 118.51 (16) (a) 3. c. For the amount in the 2017-18 to 2020-21 school years, the  
21 amount determined under subd. 3. b. or bm. plus \$100.

22 SECTION 15. 118.51 (17) (b) 2. c. of the statutes is amended to read:

23 118.51 (17) (b) 2. c. ~~Beginning in~~ In the 2018-19 school year, and subject to  
24 subd. 3., the per pupil transfer amount is the sum of the per pupil transfer amount  
25 for the previous school year; the amount of the per pupil revenue limit adjustment

1 under s. 121.91 (2m) for the current school year, if positive; and the change in the  
2 amount of statewide categorical aid per pupil between the previous school year and  
3 the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

4 **SECTION 16.** 118.51 (17) (b) 2. cm. of the statutes is created to read:

5 118.51 (17) (b) 2. cm. Beginning in the 2019-20 school year, and subject to subd.  
6 3., the per pupil transfer amount is the sum of the per pupil transfer amount for the  
7 previous school year; the amount of the per pupil revenue limit adjustment under s.  
8 121.91 (2m) for the current school year, if positive; and the change in the per pupil  
9 amount under s. 115.437 (2) (a) between the previous school year and the current  
10 school year, if positive.

11 **SECTION 17.** 118.51 (17) (bm) 2. a. of the statutes is amended to read:

12 118.51 (17) (bm) 2. a. Multiply the number under subd. 1. a. by the per pupil  
13 transfer amount under par. (b) 2. e cm.

14 **SECTION 18.** 118.51 (17) (bm) 2. d. of the statutes is amended to read:

15 118.51 (17) (bm) 2. d. Multiply the number under subd. 1. c. by the per pupil  
16 transfer amount under par. (b) 2. e cm.

17 **SECTION 19.** 118.60 (4) (bg) 3. of the statutes is amended to read:

18 118.60 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year  
19 ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or  
20 guardian of proof of the pupil's enrollment in the private school during a school term,  
21 except as provided in subd. 5., the state superintendent shall pay to the private  
22 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from  
23 the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the  
24 maximum amount per pupil the state superintendent paid a private school under  
25 this section in the previous school year for the grade in which the pupil is enrolled;



1 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
2 school year, if positive; and the change in the amount of statewide categorical aid per  
3 pupil between the previous school year and the current school year, as determined  
4 under s. 118.40 (2r) (e) 2p., if positive.

5 **SECTION 20.** 118.60 (4) (bg) 6. of the statutes is created to read:

6 118.60 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year  
7 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's  
8 enrollment in the private school during a school term, except as provided in subd. 7.,  
9 the state superintendent shall pay to the private school in which the pupil is enrolled  
10 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
11 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state  
12 superintendent paid a private school under this section in the previous school year  
13 for the grade in which the pupil is enrolled; the amount of the per pupil revenue  
14 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
15 change in the per pupil amount under s. 115.437 (2) (a) between the previous school  
16 year and the current school year, if positive.

17 **SECTION 21.** 118.60 (4) (bg) 7. of the statutes is created to read:

18 118.60 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school  
19 that enrolls pupils under the program in any grade between kindergarten to 8 and  
20 also in any grade between 9 to 12, the state superintendent shall substitute for the  
21 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the  
22 following modifications:

23 a. Multiply the number of pupils participating in the program who are enrolled  
24 in the private school in any grade between kindergarten to 8 by the sum of the  
25 maximum amount per pupil the state superintendent paid a private school under

1 this section in the previous school year for the grade in which the pupil is enrolled;  
2 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
3 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)  
4 (a) between the previous school year and the current school year, if positive.

5 b. Multiply the number of pupils participating in the program who are enrolled  
6 in the private school in any grade between 9 to 12 by the sum of the maximum amount  
7 per pupil the state superintendent paid a private school under this section in the  
8 previous school year for the grade in which the pupil is enrolled; the amount of the  
9 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if  
10 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the  
11 previous school year and the current school year, if positive.

12 **SECTION 22.** 119.23 (4) (bg) 3. of the statutes is amended to read:

13 119.23 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year  
14 and in each school year thereafter years, upon receipt from the pupil's parent or  
15 guardian of proof of the pupil's enrollment in the private school during a school term,  
16 except as provided in subd. 5., the state superintendent shall pay to the private  
17 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from  
18 the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the  
19 maximum amount per pupil the state superintendent paid a private school under  
20 this section in the previous school year for the grade in which the pupil is enrolled;  
21 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
22 school year, if positive; and the change in the amount of statewide categorical aid per  
23 pupil between the previous school year and the current school year, as determined  
24 under s. 118.40 (2r) (e) 2p., if positive.

25 **SECTION 23.** 119.23 (4) (bg) 6. of the statutes is created to read:

1           119.23 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year  
2 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's  
3 enrollment in the private school during a school term, except as provided in subd. 7.,  
4 the state superintendent shall pay to the private school in which the pupil is enrolled  
5 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
6 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state  
7 superintendent paid a private school under this section in the previous school year  
8 for the grade in which the pupil is enrolled; the amount of the per pupil revenue  
9 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
10 change in the per pupil amount under s. 115.437 (2) (a) between the previous school  
11 year and the current school year, if positive.

12           **SECTION 24.** 119.23 (4) (bg) 7. of the statutes is created to read:

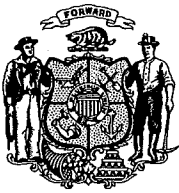
13           119.23 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school  
14 that enrolls pupils under the program in any grade between kindergarten to 8 and  
15 also in any grade between 9 to 12, the state superintendent shall substitute for the  
16 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the  
17 following modifications:

18           a. Multiply the number of pupils participating in the program who are enrolled  
19 in the private school in any grade between kindergarten to 8 by the sum of the  
20 maximum amount per pupil the state superintendent paid a private school under  
21 this section in the previous school year for the grade in which the pupil is enrolled;  
22 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
23 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)  
24 (a) between the previous school year and the current school year, if positive.

1           b. Multiply the number of pupils participating in the program who are enrolled  
2 in the private school in any grade between 9 to 12 by the sum of the maximum amount  
3 per pupil the state superintendent paid a private school under this section in the  
4 previous school year for the grade in which the pupil is enrolled; the amount of the  
5 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if  
6 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the  
7 previous school year and the current school year, if positive.

8

**(END)**



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1717/EP/P2  
FFK:cde✓

rec w/ 2159  
12185

DOA:.....Kyle, BB0236 - Align Payment Indexing Drafts

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

1. Payment Indexing: parental choice programs, the Special Needs Scholarship Program, independent charter schools, full-time open enrollment programs, and whole grade sharing agreements

1. **AN ACT ...; relating to:** the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, the per pupil payment amounts under the the Milwaukee Parental Choice Program, the Racine Parental Choice Program, the statewide parental choice program, and the Special Needs Scholarship Program, the per pupil payment amount to independent charter schools, the transfer amounts under the full-time open enrollment program, and the required transfer amount for a child with a disability in a whole grade sharing agreement (collectively "per pupil payments") are adjusted annually. The annual adjustment for per pupil payments is an amount equal to the sum of any per member revenue limit increase that applies to school districts in that school year and any per member increase in categorical aids between the current school year and the previous school year. Under the bill, beginning in the 2019-20 school year, the annual adjustment for per pupil payments is the sum of the per member revenue limit increase that applies to school districts in that school year, if any, and the increase, if any, in the per member amount of per pupil aid paid to school districts between the previous school year and the current school year.

1 115.7915 (4m) (a) 3. Beginning in the 2019-20 school year, if a private school  
2 submitted a financial statement for a child with a disability under sub. (4c) in the  
3 previous school year, the amount shown on the financial statement for that child for  
4 the previous school year, up to 150 percent of the amount calculated under subd. 2.  
5 b. or c. for the current school year.

6 **SECTION 5.** 115.7915 (4m) (cm) (intro.) of the statutes is amended to read:

7 115.7915 (4m) (cm) (intro.) If a private school receives a payment under par.  
8 (a) 3. and the amount shown on the financial statement submitted for the child with  
9 a disability under sub. (4c) in the previous school year is greater than 150 percent  
10 of the amount calculated under par. (a) 2. ~~b.~~ c. for the current school year, the  
11 department shall pay to the private school, from the appropriation under s. 20.255  
12 (2) (az), the amount determined as follows:

13 **SECTION 6.** 115.7915 (4m) (cm) 1. of the statutes is amended to read:

14 115.7915 (4m) (cm) 1. Multiply the amount calculated under par. (a) 2. ~~b.~~ c. for  
15 the current school year by 1.5.

16 **SECTION 7.** 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

17 118.40 (2r) (e) 2p. (intro.) ~~In Beginning in the 2015-16 school year and in each~~  
18 ending in the 2018-19 school year thereafter, for a pupil attending a charter school  
19 established by or under a contract with an entity under par. (b) 1. a. to f., from the  
20 appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of  
21 the charter school an amount equal to the sum of the amount paid per pupil under  
22 this paragraph in the previous school year; the amount of the per pupil revenue limit  
23 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
24 change in the amount of statewide categorical aid per pupil between the previous

For further information see the *state and 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:*

1           **SECTION 1.** 115.363 (2) (b) of the statutes is amended to read:

2           115.363 (2) (b) The school board shall pay to each nonprofit corporation with  
3 which it contracts under par. (a) an amount that is no more than the amount paid  
4 per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p~~ 2q. in the current school year  
5 multiplied by the number of pupils participating in the program under the contract.

6           **SECTION 2.** 115.7915 (4m) (a) 2. b. of the statutes is amended to read:

7           115.7915 (4m) (a) 2. b. ~~Beginning in~~ In the 2018-19 school year and subject to  
8 subd. 3., the sum of the scholarship amount under this subdivision for the previous  
9 school year; the amount of the per pupil revenue limit adjustment under s. 121.91  
10 (2m) for the current school year, if positive; and the change in the amount of  
11 statewide categorical aid per pupil between the previous school year and the current  
12 school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

13           **SECTION 3.** 115.7915 (4m) (a) 2. c. of the statutes is created to read:

14           115.7915 (4m) (a) 2. c. Beginning in the 2019-20 school year and subject to  
15 subd. 3., the sum of the scholarship amount under this subdivision for the previous  
16 school year; the amount of the per pupil revenue limit adjustment under s. 121.91  
17 (2m) for the current school year, if positive; and the change in the per pupil amount  
18 under s. 115.437 (2) (a) between the previous school year and the current school year,  
19 if positive.

20           **SECTION 4.** 115.7915 (4m) (a) 3. of the statutes is amended to read:

1 school year and the current school year, if positive. The change in the statewide  
2 categorical aid per pupil shall be determined as follows:

3 **SECTION 8.** 118.40 (2r) (e) 2q. of the statutes is created to read:

4 118.40 (2r) (e) 2q. Beginning in the 2019-20 school year and in each school year  
5 thereafter, for a pupil attending a charter school established by or under a contract  
6 with an entity under par. (b) 1. a. to f., from the appropriation under s. 20.255 (2) (fm),  
7 the department shall pay to the operator of the charter school an amount equal to the  
8 sum of the amount paid per pupil under this paragraph in the previous school year;  
9 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the  
10 current school year, if positive; and the change in the per pupil amount under s.  
11 115.437 (2) (a) between the previous school year and the current school year, if  
12 positive.

13 **SECTION 9.** 118.40 (2r) (g) 1. b. of the statutes is amended to read:

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15 pupil amount calculated under par. (e) ~~2p.~~ 2q. for that school year.

16 **SECTION 10.** 118.50 (2m) (a) 2. of the statutes is amended to read:

17 118.50 (2m) (a) 2. ~~Beginning in~~ In the 2017-18 and 2018-19 school year years,  
18 the sum of the per pupil amount under this paragraph for the previous school year;  
19 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the  
20 current school year, if positive; and the change in the amount of statewide categorical  
21 aid per pupil between the previous school year and the current school year, as  
22 determined under s. 118.40 (2r) (e) 2p., if positive.

23 **SECTION 11.** 118.50 (2m) (a) 3. of the statutes is created to read:

24 118.50 (2m) (a) 3. Beginning in the 2019-20 school year, the sum of the per  
25 pupil amount under this paragraph for the previous school year; the amount of the



1 per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year,  
2 if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between  
3 the previous school year and the current school year, if positive.

4 **SECTION 12.** 118.51 (16) (a) 3. b. of the statutes is amended to read:

5 118.51 (16) (a) 3. b. Beginning with the amount in the 2015-16 school year and  
6 ending with the amount in the 2018-19 school year, except as provided in subd. 3.  
7 c., ~~in each school year thereafter~~, the sum of the amount determined under this  
8 subdivision for the previous school year; the amount of the per pupil revenue limit  
9 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
10 change in the amount of statewide categorical aid per pupil between the previous  
11 school year and the current school year, as determined under s. 118.40 (2r) (e) 2p.,  
12 if positive.

13 **SECTION 13.** 118.51 (16) (a) 3. bm. of the statutes is created to read:

14 118.51 (16) (a) 3. bm. Beginning with the amount for the 2019-20 school year,  
15 except as provided in subd. 3. c., and in each school year thereafter, the sum of the  
16 amount determined under this subdivision for the previous school year; the amount  
17 of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school  
18 year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a)  
19 between the previous school year and the current school year, if positive.

20 **SECTION 14.** 118.51 (16) (a) 3. c. of the statutes is amended to read:

21 118.51 (16) (a) 3. c. For the amount in the 2017-18 to 2020-21 school years, the  
22 amount determined under subd. 3. b. or bm. plus \$100.

23 **SECTION 15.** 118.51 (17) (b) 2. c. of the statutes is amended to read:

24 118.51 (17) (b) 2. c. ~~Beginning in~~ In the 2018-19 school year, and subject to  
25 subd. 3., the per pupil transfer amount is the sum of the per pupil transfer amount

1 for the previous school year; the amount of the per pupil revenue limit adjustment  
2 under s. 121.91 (2m) for the current school year, if positive; and the change in the  
3 amount of statewide categorical aid per pupil between the previous school year and  
4 the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

5 **SECTION 16.** 118.51 (17) (b) 2. cm. of the statutes is created to read:

6 118.51 (17) (b) 2. cm. Beginning in the 2019-20 school year, and subject to subd.  
7 3., the per pupil transfer amount is the sum of the per pupil transfer amount for the  
8 previous school year; the amount of the per pupil revenue limit adjustment under s.  
9 121.91 (2m) for the current school year, if positive; and the change in the per pupil  
10 amount under s. 115.437 (2) (a) between the previous school year and the current  
11 school year, if positive.

12 **SECTION 17.** 118.51 (17) (bm) 2. a. of the statutes is amended to read:

13 118.51 (17) (bm) 2. a. Multiply the number under subd. 1. a. by the per pupil  
14 transfer amount under par. (b) 2. e cm.

15 **SECTION 18.** 118.51 (17) (bm) 2. d. of the statutes is amended to read:

16 118.51 (17) (bm) 2. d. Multiply the number under subd. 1. c. by the per pupil  
17 transfer amount under par. (b) 2. e cm.

18 **SECTION 19.** 118.60 (4) (bg) 3. of the statutes is amended to read:

19 118.60 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year  
20 and in each school year thereafter years, upon receipt from the pupil's parent or  
21 guardian of proof of the pupil's enrollment in the private school during a school term,  
22 except as provided in subd. 5., the state superintendent shall pay to the private  
23 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from  
24 the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the  
25 maximum amount per pupil the state superintendent paid a private school under

1 this section in the previous school year for the grade in which the pupil is enrolled;  
2 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
3 school year, if positive; and the change in the amount of statewide categorical aid per  
4 pupil between the previous school year and the current school year, as determined  
5 under s. 118.40 (2r) (e) 2p., if positive.

6 **SECTION 20.** 118.60 (4) (bg) 6. of the statutes is created to read:

7 118.60 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year  
8 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's  
9 enrollment in the private school during a school term, except as provided in subd. 7.,  
10 the state superintendent shall pay to the private school in which the pupil is enrolled  
11 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
12 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state  
13 superintendent paid a private school under this section in the previous school year  
14 for the grade in which the pupil is enrolled; the amount of the per pupil revenue  
15 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
16 change in the per pupil amount under s. 115.437 (2) (a) between the previous school  
17 year and the current school year, if positive.

18 **SECTION 21.** 118.60 (4) (bg) 7. of the statutes is created to read:

19 118.60 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school  
20 that enrolls pupils under the program in any grade between kindergarten to 8 and  
21 also in any grade between 9 to 12, the state superintendent shall substitute for the  
22 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the  
23 following modifications:

24 a. Multiply the number of pupils participating in the program who are enrolled  
25 in the private school in any grade between kindergarten to 8 by the sum of the

1 maximum amount per pupil the state superintendent paid a private school under  
2 this section in the previous school year for the grade in which the pupil is enrolled;  
3 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
4 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)  
5 (a) between the previous school year and the current school year, if positive.

6 b. Multiply the number of pupils participating in the program who are enrolled  
7 in the private school in any grade between 9 to 12 by the sum of the maximum amount  
8 per pupil the state superintendent paid a private school under this section in the  
9 previous school year for the grade in which the pupil is enrolled; the amount of the  
10 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if  
11 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the  
12 previous school year and the current school year, if positive.

13 **SECTION 22.** 119.23 (4) (bg) 3. of the statutes is amended to read:

14 119.23 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year  
15 ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or  
16 guardian of proof of the pupil's enrollment in the private school during a school term,  
17 except as provided in subd. 5., the state superintendent shall pay to the private  
18 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from  
19 the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the  
20 maximum amount per pupil the state superintendent paid a private school under  
21 this section in the previous school year for the grade in which the pupil is enrolled;  
22 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
23 school year, if positive; and the change in the amount of statewide categorical aid per  
24 pupil between the previous school year and the current school year, as determined  
25 under s. 118.40 (2r) (e) 2p., if positive.

1           **SECTION 23.** 119.23 (4) (bg) 6. of the statutes is created to read:

2           119.23 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year  
3 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's  
4 enrollment in the private school during a school term, except as provided in subd. 7.,  
5 the state superintendent shall pay to the private school in which the pupil is enrolled  
6 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
7 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state  
8 superintendent paid a private school under this section in the previous school year  
9 for the grade in which the pupil is enrolled; the amount of the per pupil revenue  
10 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
11 change in the per pupil amount under s. 115.437 (2) (a) between the previous school  
12 year and the current school year, if positive.

13           **SECTION 24.** 119.23 (4) (bg) 7. of the statutes is created to read:

14           119.23 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school  
15 that enrolls pupils under the program in any grade between kindergarten to 8 and  
16 also in any grade between 9 to 12, the state superintendent shall substitute for the  
17 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the  
18 following modifications:

19           a. Multiply the number of pupils participating in the program who are enrolled  
20 in the private school in any grade between kindergarten to 8 by the sum of the  
21 maximum amount per pupil the state superintendent paid a private school under  
22 this section in the previous school year for the grade in which the pupil is enrolled;  
23 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
24 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)  
25 (a) between the previous school year and the current school year, if positive.



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1717/P2dn  
FFK:cdc

[date]

LRB-1293/P2, LRB-1294/P2,

This draft reconciles LRB-1717/P1, LRB-1994/P2, LRB-2159/P2, and LRB-2165/P1.  
All of these drafts should continue to appear in the compiled bill.

[SIG]

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1717/P2dn  
FFK:cdc

February 21, 2019

This draft reconciles LRB-1293/P2, LRB-1294/P2, LRB-1717/P1, LRB-1994/P2, LRB-2159/P2, and LRB-2165/P1. All of these drafts should continue to appear in the compiled bill.

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State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1717/P2  
FFK:cdc

DOA:.....Kyle, BB0236 - Align Payment Indexing Drafts

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

**1: *Payment Indexing: parental choice programs, the Special Needs Scholarship Program, independent charter schools, full-time open enrollment program, and whole grade sharing agreements***

Under current law, the per pupil payment amounts under the the Milwaukee Parental Choice Program, the Racine Parental Choice Program, the statewide parental choice program, and the Special Needs Scholarship Program, the per pupil payment amount to independent charter schools, the transfer amounts under the full-time open enrollment program, and the required transfer amount for a child with a disability in a whole grade sharing agreement (collectively “per pupil payments”) are adjusted annually. The annual adjustment for per pupil payments is an amount equal to the sum of any per member revenue limit increase that applies to school districts in that school year and any per member increase in categorical aids between the current school year and the previous school year. Under the bill, beginning in the 2019-20 school year, the annual adjustment for per pupil payments is the sum of the per member revenue limit increase that applies to school districts in that school year, if any, and the increase, if any, in the per member amount of per pupil aid paid to school districts between the previous school year and the current school year.

For further information see the *state and 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:***

1           **SECTION 1.** 115.363 (2) (b) of the statutes is amended to read:

2           115.363 (2) (b) The school board shall pay to each nonprofit corporation with  
3 which it contracts under par. (a) an amount that is no more than the amount paid  
4 per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p~~ 2q. in the current school year  
5 multiplied by the number of pupils participating in the program under the contract.

6           **SECTION 2.** 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

7           118.40 (2r) (e) 2p. (intro.) ~~In Beginning in the 2015-16 school year and in each~~  
8 ~~ending in the 2018-19 school year thereafter,~~ for a pupil attending a charter school  
9 established by or under a contract with an entity under par. (b) 1. a. to f., from the  
10 appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of  
11 the charter school an amount equal to the sum of the amount paid per pupil under  
12 this paragraph in the previous school year; the amount of the per pupil revenue limit  
13 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
14 change in the amount of statewide categorical aid per pupil between the previous  
15 school year and the current school year, if positive. The change in the statewide  
16 categorical aid per pupil shall be determined as follows:

17           **SECTION 3.** 118.40 (2r) (e) 2q. of the statutes is created to read:

18           118.40 (2r) (e) 2q. Beginning in the 2019-20 school year and in each school year  
19 thereafter, for a pupil attending a charter school established by or under a contract  
20 with an entity under par. (b) 1. a. to f., from the appropriation under s. 20.255 (2) (fm),  
21 the department shall pay to the operator of the charter school an amount equal to the

1 sum of the amount paid per pupil under this paragraph in the previous school year;  
2 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the  
3 current school year, if positive; and the change in the per pupil amount under s.  
4 115.437 (2) (a) between the previous school year and the current school year, if  
5 positive.

6 **SECTION 4.** 118.40 (2r) (g) 1. b. of the statutes is amended to read:

7 118.40 (2r) (g) 1. b. Multiply the number of pupils under subd. 1. a. by the per  
8 pupil amount calculated under par. (e) ~~2p.~~ 2q. for that school year.

9 **SECTION 5.** 118.50 (2m) (a) 2. of the statutes is amended to read:

10 118.50 (2m) (a) 2. ~~Beginning in In~~ In the 2017-18 and 2018-19 school year years,  
11 the sum of the per pupil amount under this paragraph for the previous school year;  
12 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the  
13 current school year, if positive; and the change in the amount of statewide categorical  
14 aid per pupil between the previous school year and the current school year, as  
15 determined under s. 118.40 (2r) (e) ~~2p.~~, if positive.

16 **SECTION 6.** 118.50 (2m) (a) 3. of the statutes is created to read:

17 118.50 (2m) (a) 3. Beginning in the 2019-20 school year, the sum of the per  
18 pupil amount under this paragraph for the previous school year; the amount of the  
19 per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year,  
20 if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between  
21 the previous school year and the current school year, if positive.

22 **SECTION 7.** 118.60 (4) (bg) 3. of the statutes is amended to read:

23 118.60 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year  
24 ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or  
25 guardian of proof of the pupil's enrollment in the private school during a school term,

1 except as provided in subd. 5., the state superintendent shall pay to the private  
2 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from  
3 the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the  
4 maximum amount per pupil the state superintendent paid a private school under  
5 this section in the previous school year for the grade in which the pupil is enrolled;  
6 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
7 school year, if positive; and the change in the amount of statewide categorical aid per  
8 pupil between the previous school year and the current school year, as determined  
9 under s. 118.40 (2r) (e) 2p., if positive.

10 **SECTION 8.** 118.60 (4) (bg) 6. of the statutes is created to read:

11 118.60 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year  
12 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's  
13 enrollment in the private school during a school term, except as provided in subd. 7.,  
14 the state superintendent shall pay to the private school in which the pupil is enrolled  
15 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
16 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state  
17 superintendent paid a private school under this section in the previous school year  
18 for the grade in which the pupil is enrolled; the amount of the per pupil revenue  
19 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
20 change in the per pupil amount under s. 115.437 (2) (a) between the previous school  
21 year and the current school year, if positive.

22 **SECTION 9.** 118.60 (4) (bg) 7. of the statutes is created to read:

23 118.60 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school  
24 that enrolls pupils under the program in any grade between kindergarten to 8 and  
25 also in any grade between 9 to 12, the state superintendent shall substitute for the

1 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the  
2 following modifications:

3 a. Multiply the number of pupils participating in the program who are enrolled  
4 in the private school in any grade between kindergarten to 8 by the sum of the  
5 maximum amount per pupil the state superintendent paid a private school under  
6 this section in the previous school year for the grade in which the pupil is enrolled;  
7 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
8 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)  
9 (a) between the previous school year and the current school year, if positive.

10 b. Multiply the number of pupils participating in the program who are enrolled  
11 in the private school in any grade between 9 to 12 by the sum of the maximum amount  
12 per pupil the state superintendent paid a private school under this section in the  
13 previous school year for the grade in which the pupil is enrolled; the amount of the  
14 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if  
15 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the  
16 previous school year and the current school year, if positive.

17 **SECTION 10.** 119.23 (4) (bg) 3. of the statutes is amended to read:

18 119.23 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year  
19 ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or  
20 guardian of proof of the pupil's enrollment in the private school during a school term,  
21 except as provided in subd. 5., the state superintendent shall pay to the private  
22 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from  
23 the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the  
24 maximum amount per pupil the state superintendent paid a private school under  
25 this section in the previous school year for the grade in which the pupil is enrolled;

1 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
2 school year, if positive; and the change in the amount of statewide categorical aid per  
3 pupil between the previous school year and the current school year, as determined  
4 under s. 118.40 (2r) (e) 2p., if positive.

5 **SECTION 11.** 119.23 (4) (bg) 6. of the statutes is created to read:

6 119.23 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year  
7 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's  
8 enrollment in the private school during a school term, except as provided in subd. 7.,  
9 the state superintendent shall pay to the private school in which the pupil is enrolled  
10 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255  
11 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state  
12 superintendent paid a private school under this section in the previous school year  
13 for the grade in which the pupil is enrolled; the amount of the per pupil revenue  
14 adjustment under s. 121.91 (2m) for the current school year, if positive; and the  
15 change in the per pupil amount under s. 115.437 (2) (a) between the previous school  
16 year and the current school year, if positive.

17 **SECTION 12.** 119.23 (4) (bg) 7. of the statutes is created to read:

18 119.23 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school  
19 that enrolls pupils under the program in any grade between kindergarten to 8 and  
20 also in any grade between 9 to 12, the state superintendent shall substitute for the  
21 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the  
22 following modifications:

23 a. Multiply the number of pupils participating in the program who are enrolled  
24 in the private school in any grade between kindergarten to 8 by the sum of the  
25 maximum amount per pupil the state superintendent paid a private school under

1 this section in the previous school year for the grade in which the pupil is enrolled;  
2 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current  
3 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)  
4 (a) between the previous school year and the current school year, if positive.

5 b. Multiply the number of pupils participating in the program who are enrolled  
6 in the private school in any grade between 9 to 12 by the sum of the maximum amount  
7 per pupil the state superintendent paid a private school under this section in the  
8 previous school year for the grade in which the pupil is enrolled; the amount of the  
9 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if  
10 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the  
11 previous school year and the current school year, if positive.

12

**(END)**