

State of Wisconsin



2023 Senate Bill 330

Date of enactment: **June 20, 2023**
Date of publication*: **June 21, 2023**

2023 WISCONSIN ACT 11

AN ACT to amend 115.7915 (4m) (a) 2. b., 118.40 (2r) (e) 2p. (intro.), 118.60 (4) (bg) 3., 118.60 (4) (bg) 5. a., 118.60 (4) (bg) 5. b., 119.23 (4) (bg) 3., 119.23 (4) (bg) 5. a. and 119.23 (4) (bg) 5. b.; and **to create** 121.905 (1) (b) 8. of the statutes; **relating to:** increasing the per pupil payments in parental choice programs and the Special Needs Scholarship program and the per pupil payments made to independent charter schools and increasing the revenue ceiling for school districts.

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

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

115.7915 (4m) (a) 2. b. Beginning in the 2018–19 school year and subject to subd. 3., the sum of the scholarship amount under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 14.5 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 2. 115.7915 (4m) (a) 2. b. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

115.7915 (4m) (a) 2. b. Beginning in the 2018–19 school year and subject to subd. 3., the sum of the scholarship amount under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the revenue ceiling, as

defined in s. 121.905 (1), between the previous school year and current school year, if positive; the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 14.5 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 3. 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

118.40 (2r) (e) 2p. (intro.) In the 2015–16 school year and in each school year thereafter, for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1., from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, if positive; and in the 2023–24 school year, 15.7 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

The change in the statewide categorical aid per pupil shall be determined as follows:

SECTION 4. 118.40 (2r) (e) 2p. (intro.) of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

118.40 (2r) (e) 2p. (intro.) In the 2015–16 school year and in each school year thereafter, for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1., from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; ~~and the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive;~~ the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, if positive; and in the 2023–24 school year, 15.7 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year. The change in the statewide categorical aid per pupil shall be determined as follows:

SECTION 5. 118.60 (4) (bg) 3. of the statutes is amended to read:

118.60 (4) (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil’s parent or guardian of proof of the pupil’s enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; in the 2023–24 school year, if the pupil is enrolled in a grade from kindergarten to 8, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, if the pupil is enrolled in a grade from 9 to 12, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 6. 118.60 (4) (bg) 3. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

118.60 (4) (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil’s parent or guardian of proof of the pupil’s enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the

private school in which the pupil is enrolled on behalf of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; in the 2023–24 school year, if the pupil is enrolled in a grade from kindergarten to 8, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; ~~and 90 percent of the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive, if the pupil is enrolled in a grade from kindergarten to 8, or if the pupil is enrolled in a grade from 9 to 12, the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive;~~ the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, if the pupil is enrolled in a grade from 9 to 12, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 7. 118.60 (4) (bg) 5. a. of the statutes is amended to read:

118.60 (4) (bg) 5. a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 8. 118.60 (4) (bg) 5. a. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

118.60 (4) (bg) 5. a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; ~~and 90 percent of the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive;~~ the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as deter-

mined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 9. 118.60 (4) (bg) 5. b. of the statutes is amended to read:

118.60 (4) (bg) 5. b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 10. 118.60 (4) (bg) 5. b. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

118.60 (4) (bg) 5. b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive; the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 11. 119.23 (4) (bg) 3. of the statutes is amended to read:

119.23 (4) (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil’s parent or guardian of proof of the pupil’s enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; in the 2023–24 school year, if the pupil is enrolled in a grade from kindergarten to 8, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and

the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, if the pupil is enrolled in a grade from 9 to 12, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 12. 119.23 (4) (bg) 3. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

119.23 (4) (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil’s parent or guardian of proof of the pupil’s enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; in the 2023–24 school year, if the pupil is enrolled in a grade from kindergarten to 8, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and 90 percent of the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive, if the pupil is enrolled in a grade from kindergarten to 8, or if the pupil is enrolled in a grade from 9 to 12, the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive; the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, if the pupil is enrolled in a grade from 9 to 12, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 13. 119.23 (4) (bg) 5. a. of the statutes is amended to read:

119.23 (4) (bg) 5. a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 14. 119.23 (4) (bg) 5. a. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

119.23 (4) (bg) 5. a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; ~~and 90 percent of the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive;~~ the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 10 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 15. 119.23 (4) (bg) 5. b. of the statutes is amended to read:

119.23 (4) (bg) 5. b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; ~~and in the 2023–24 school year, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.~~

SECTION 16. 119.23 (4) (bg) 5. b. of the statutes, as affected by 2023 Wisconsin Act (this act), is amended to read:

119.23 (4) (bg) 5. b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; ~~and the change in the revenue ceiling, as defined in s. 121.905 (1), between the previous school year and current school year, if positive;~~ the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive; and in the 2023–24 school year, 26.8 percent of the revenue ceiling, as defined in s. 121.905 (1), for that school year.

SECTION 17. 121.905 (1) (b) 8. of the statutes is created to read:

121.905 (1) (b) 8. Notwithstanding subd. 7., “revenue ceiling” means the amount under subd. 7. plus \$1,000.

SECTION 9334. Initial applicability; Public Instruction.

(1) REVENUE CEILING. The treatment of s. 121.905 (1) (b) 8. first applies to the revenue ceiling in the 2023–24 school year.

SECTION 9434. Effective dates; Public Instruction.

(1) ANNUAL ADJUSTMENT FORMULA. The treatment of ss. 115.7915 (4m) (a) 2. b. (by SECTION 2), 118.40 (2r) (e) 2p. (intro.) (by SECTION 4), 118.60 (4) (bg) 3. (by SECTION 6), 118.60 (4) (bg) 5. a. (by SECTION 8), 118.60 (4) (bg) 5. b. (by SECTION 10), 119.23 (4) (bg) 3. (by SECTION 12), 119.23 (4) (bg) 5. a. (by SECTION 14), and 119.23 (4) (bg) 5. b. (by SECTION 16) takes effect on July 1, 2024.