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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<b>2003 Wisconsin Act 109</b> [2003 Assembly Bill 79]	<b>Bonding for Certain Private Educational Facilities</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

*Current law* provides that the Wisconsin Health and Education Facilities Authority (WHEFA) may issue bonds to finance certain projects undertaken for educational facilities. Currently, the only type of educational facility eligible for WHEFA financing are regionally accredited, private, nonprofit *post-secondary* educational institutions.

*Act 109* expands WHEFA's bonding authority by *eliminating* the limitation to *post-secondary* educational institutions. Therefore, under Act 109, a private, nonprofit *elementary or secondary* educational institution is eligible for WHEFA financing.

*Act 109* requires that a private, nonprofit elementary or secondary school be accredited to the satisfaction of WHEFA. The Act does not affect current law with respect to post-secondary educational institutions, which must be regionally accredited.

*Act 109 also requires* that WHEFA ensure that all minority business participation requirements that apply to a WHEFA project under state statute or administrative rule are complied with. This provision only applies to a project that is financed by WHEFA after the effective date of the law and relates to an educational facility other than a post-secondary educational institution.

**Effective Date:** The effective date of Act 109 is January 8, 2004.

**Prepared by:** Russ Whitesel, Senior Staff Attorney

December 22, 2003

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.