

Legislative Council Service

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Inexhaustive List of Legislation to Equalize Public School Capital Outlay Funding

2000

- **Senate Joint Memorial 21** (2nd Special Session): Created the Public School Capital Outlay Task Force to analyze and recommend legislative measures to remedy the constitutional violations identified in the *Zuni* lawsuit.
- **House Bill 31** (2nd Special Session): Emergency legislation that amended the Public School Capital Outlay Act to allow “critical capital outlay” grants for school districts affected by the *Zuni* lawsuit. The act also set earmarked funding for certain “impact aid” districts.
- **House Bill 32** (2nd Special Session): Emergency legislation that authorized the issuance of additional supplemental severance tax bonds for public school capital outlay.

2001

- **Senate Bill 167**: Created the framework for the public school capital outlay system we know today (without the funding formula) and created the task force.
- **Senate Bill 345**: Required a preventative maintenance plan from each school who applies for grant assistance.
- **Senate Bill 516**: Allowed county education gross receipts tax revenue bonds for capital outlay projects.

2002

- **Senate Bill 286**: To fund administrative expenses incurred by the council for deficiency corrections.

2003

- **Senate Bill 513**: Comprehensive legislation that established the first local/state match funding formula. Created the Public School Facilities Authority.

2004

- **Senate Bill 399**: Comprehensive legislation to amend the PSCOA and improve the funding formula. The bill increased the state match and provided an inflation factor. It also created an appeal process for school districts aggrieved by a decision of the council.

2005

- **Senate Bill 455**: Formalized the use of adequacy standards, increased the state match for mil levies pursuant to the Public School Capital Improvements Act and created the first systems-based project for roofs.

2006

- **Senate Bill 450**: Required five-year facilities plans, removed some limitations on grants for leases, authorized additional expenditures pursuant to the Public School Capital Improvements Act, began incorporating charter schools into the system, removed some restrictions on cash balances and gave additional powers to the PSFA.

2007

- **Senate Bill 395:** Exempted certain construction projects from state oversight, change the criteria for determining offset amounts, increased grants for lease assistance, authorized building purchases and increased the state match.

2008

- **Senate Bill 146:** Authorized incremental funding for some school districts, reduced the offset amount for certain direct appropriations and created the incentive for exemplary maintenance.

2009

- **Senate Bill 378:** Amended the criteria for lease payment awards, required offsets for certain federal revenues, allowed funding adjustments for certain projects for rural schools, revised the standards for charter schools and expanded the scope of the Public School Capital Improvements Act.
- **Senate Bill 24** (First Special Session): Appropriated money from the fund to pay property insurance on behalf of school districts.

2010

- **House bill 68:** limited offsets once again, extended the systems-based project for roofs all authorized the PSFA administer procurement for certain rural school districts.

2011

- **House Bill 47:** Allowed school districts to keep their cash balances for emergencies and operational expenditures.

2012

- **Senate Bill 19:** Allowed for the reimposition of county education gross receipts taxes.

2014

- **Senate Bill 159:** Authorized expenditures from the fund for education technology infrastructure, established a deficiency corrections initiative and allowed local match waivers.

2015

- **Senate Bill 128:** Formalized systems-based projects.

2016

- **Senate Bill 4** (Second Special Session): Authorized use of the fund for instructional materials or certain transportation expenditures.

2017

- **Senate Bill 63:** Expanded potential funding sources for education technology infrastructure.
- **Senate Bill 64:** Made technology infrastructure expenditures from the fund permanent.

2018

- **Senate Bill 30:** First significant changes to the formula and provided for the implementation of the “phase two” formula.

- **Senate Bill 239:** Authorized systems-based projects for security system repairs, renovations and replacements.

2019

- **Senate Bill 230:** Created the pre-kindergarten classroom initiative.
- **Senate Bill 231:** Clarified 2018 amendments to the funding formula.

2020

- **House Bill 254:** Created an alternative funding mechanism for roof system projects.

2021

- **Senate Bill 43:** Authorized fund expenditures for the demolition of abandoned facilities.

2023

- **Senate Bill 131:** Changing how the PSFA's budget is determined, eliminated offsets, created the local match reduction for some school districts, eliminated the impact aid credit, eliminated offsets for charter schools and reduced the local match for pre-kindergarten projects.

2024

- **House Bill 207:** Made lease assistance grants mandatory.

2025

- **Senate Bill 82:** temporarily extended the 2023 local match reductions and amended the criteria for local match waivers.