

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 104

BY: FORD and SNYDER

AS INTRODUCED

AN ACT RELATING TO SCHOOLS AND THE STATE BOARD OF EDUCATION; MAKING AN APPROPRIATION TO THE STATE BOARD OF EDUCATION; PROVIDING MIDTERM SUPPLEMENT FOR SCHOOLS; SETTING FORTH MANNER OF DISTRIBUTION; PROVIDING EXCEPTIONS; PROVIDING FOR PROPORTIONATE REDUCTION IN FUNDS IN CERTAIN CIRCUMSTANCES; PROVIDING FOR CODIFICATION; MAKING FUNDS NONFISCAL; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Cash Flow Reserve Fund of the State Treasury designated by the Office of State Finance as the "090" Fund, the sum of Twelve Million Dollars (\$12,000,000.00) or so much thereof as may be necessary for supplements in State Aid to school districts for the 1990-91 school year as provided in Section 2 of this act.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-200.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

For the 1990-91 school year, any school district with an average daily attendance that is at least two percent (2%) greater than the

higher average daily attendance of the preceding two (2) years of the school district shall receive a midterm supplement in State Aid to be determined as follows:

1. For the 1990-91 school year and each school year thereafter, for each additional pupil in average daily attendance over the higher number of pupils in average daily attendance of the preceding two (2) years, the district shall receive funding equivalent to the state average of state-appropriated revenues for the current school year and state-dedicated revenues for the preceding school year per pupil in average daily attendance for the preceding school year.

Data used for the calculation for the midterm supplement shall be that gathered during the first semester of the school year for which the midterm supplement is to be paid;

2. For any district qualifying for the midterm supplement, if the funds received pursuant to the provisions of Section 18-112.2 of Title 70 of the Oklahoma Statutes are in excess of the funds to be received pursuant to paragraph 1 of this subsection, the district shall receive no midterm supplement. If the funds received pursuant to the provisions of Section 18-112.2 of Title 70 of the Oklahoma Statutes are less than the funds to be received pursuant to paragraph 1 of this subsection, the midterm supplement shall be the difference between these two amounts; and

3. For those districts that received funding in excess of Foundation Aid, Salary Incentive Aid and the Transportation Supplement pursuant to the provisions of Section 18-112.2 of Title 70 of the Oklahoma Statutes prior to the calculation of the midterm supplement provided in paragraphs 1 and 2 of this section, the amount of revenue in the general fund surplus of the preceding fiscal year in excess of ten percent (10%) of receipts or expenditures, whichever is less, of the district for the preceding fiscal year shall be subtracted from the difference obtained in paragraph 2 of this section.

SECTION 3. If funds appropriated in this act are not sufficient to fully fund the provisions of Section 2 of this act, each school district which qualifies for funds pursuant to the provisions of this act shall take a proportionate reduction in funds.

SECTION 4. The appropriation made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1991. Any unexpended funds remaining after November 15, 1991, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-499

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