

2015 -- H 5393

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Representatives McLaughlin, Amore, Marcello, Lombardi, and Messier

Date Introduced: February 11, 2015

Referred To: House Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 16-7-41.1 of the General Laws in Chapter 16-7 entitled  
2 "Foundation Level School Support [See Title 16 Chapter 97 - The Rhode Island Board Of  
3 Education Act]" is hereby amended to read as follows:  
4           **16-7-41.1. Eligibility for reimbursement.** -- (a) School districts, not municipalities, may  
5 apply for and obtain approval for a project under the necessity of school construction process set  
6 forth in the regulations of the board of ~~regents for elementary and secondary~~ education, provided,  
7 however, in the case of municipality which issues bonds through the Rhode Island Health and  
8 Educational Building Corporation to finance or refinance school facilities for a school district  
9 which is not part of the municipality, the municipality may apply for and obtain approval for a  
10 project. Such approval will remain valid until June 30 of the third fiscal year following the fiscal  
11 year in which the board of ~~regents for elementary and secondary~~ education's approval is granted.  
12 Only those projects undertaken at school facilities under the care and control of the school  
13 committee and located on school property may qualify for reimbursement under §§ 16-7-35 -- 16-  
14 7-47. Facilities with combined school and municipal uses or facilities that are operated jointly  
15 with any other profit or non-profit agency do not qualify for reimbursement under §§ 16-7-35 --  
16 16-7-47. Projects completed by June 30 of a fiscal year are eligible for reimbursement in the  
17 following fiscal year. A project for new school housing or additional housing shall be deemed to  
18 be completed when the work has been officially accepted by the school committee or when the  
19 housing is occupied for its intended use by the school committee, whichever is earlier.

1 (b) Notwithstanding the provisions of this section, neither the board of ~~regents~~ education  
2 nor the council on elementary and secondary education shall not grant final approval for any  
3 project between June 30, 2011 and May 1, 2015 or the date of passage of this act, whichever  
4 occurs first, except for projects that are necessitated by immediate health and safety reasons. In  
5 the event that a project is requested during the moratorium because of immediate health and  
6 safety reasons, those proposals shall be reported to the chairs of the house and senate finance  
7 committees. After the date of passage of this act or May 1, 2015, whichever occurs first, the  
8 moratorium on projects shall be deemed lifted and no longer in effect, and the council on  
9 elementary and secondary education shall have authority to grant final approval of projects.

10 (c) Any project approval granted prior to the adoption of the school construction  
11 regulations in 2007, and which are currently inactive; and any project approval granted prior to  
12 the adoption of the school construction regulations in 2007 which did not receive voter approval  
13 or which has not been previously financed, are no longer eligible for reimbursement under this  
14 chapter. The department of elementary and secondary education shall develop recommendations  
15 for further cost containment strategies in the school housing aid program.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would eliminate the moratorium on new school building projects effective upon
- 2 passage of the act or May 1, 2015, whichever were to occur first.
- 3           This act would take effect upon passage.

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