

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 607, Page 4, Section 163.172, Line 73, by
2 inserting after all of the said section and line the following:
3

4 "167.151. 1. The school board of any district~~;~~:

5 (1) In its discretion, may admit to the school pupils not entitled to free instruction; and

6 (2) Shall prescribe the tuition fee to be paid by them, except as provided in:

7 (a) Subdivision (2) of subsection 3 of this section;

8 (b) Subsection 6 of this section; and ~~in~~

9 (c) Sections 167.121, 167.131, 167.132, ~~and~~ 167.895, and 168.151.

10 2. Orphan children, children with only one parent living, and children whose parents do not
11 contribute to their support-if the children are between the ages of six and twenty years and are
12 unable to pay tuition-may attend the schools of any district in the state in which they have a
13 permanent or temporary home without paying a tuition fee.

14 3. (1) For all school years ending on or before June 30, 2023, any individual who pays a
15 school tax in any other district than that in which such individual resides may send such individual's
16 children to any public school in the district in which the tax is paid and receive as a credit on the
17 amount charged for tuition the amount of the school tax paid to the district; except that any
18 individual who owns real estate of which eighty acres or more are used for agricultural purposes and
19 upon which such individual's residence is situated may send such individual's children to public
20 school in any school district in which a part of such real estate, contiguous to that upon which such
21 individual's residence is situated, lies and shall not be charged tuition therefor; so long as thirty-five
22 percent of the real estate is located in the school district of choice. The school district of choice
23 shall count the children in its average daily attendance for the purpose of distribution of state aid
24 through the foundation formula.

25 (2) For all school years beginning on or after July 1, 2023, any current owner of residential
26 real property or agricultural real property or a named beneficiary of a trust that currently owns
27 residential real property or agricultural real property and that pays a school tax in a district or
28 districts other than the district in which such current owner or current beneficiary resides may send
29 up to four of such owner's or beneficiary's children to a public school, excluding a charter school, in
30 any district in which such owner or trust pays such school tax. For purposes of this subdivision,

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"residential real property" shall not include any multifamily residential property which exceeds four units. An owner or a named beneficiary of a trust that currently owns residential real property shall not be permitted under this subdivision to send their child to a district outside of the county in which they currently reside. Such owner or beneficiary shall send thirty days' written notice to all school districts involved specifying which school district each child will attend. Such owner or beneficiary shall also present proof of the owner's or trust's annual payment of at least two thousand dollars of school taxes levied on the real property specified in this subdivision within such school district and ownership of the specified real property for not less than the immediately preceding four consecutive years. Neither the resident nor nonresident districts shall be responsible for providing transportation services under this subdivision. The school district attended shall count a child attending under this subdivision in its average daily attendance for the purpose of distribution of state aid under chapter 163, except that such nonresident students shall not be counted in the district's average daily attendance for the purposes of determining eligibility for aid payments under section 163.044.

4. For any school year ending on or before June 30, 2023, any owner of agricultural land who, pursuant to subsection 3 of this section, has the option of sending ~~[his]~~ such individual's children to the public schools of more than one district shall exercise such option as provided in this subsection. Such person shall send written notice to all school districts involved specifying to which school district ~~[his]~~ such children will attend by June thirtieth in which such a school year begins. If notification is not received, such children shall attend the school in which the majority of ~~[his]~~ such individual's property lies. Such person shall not send any of ~~[his]~~ such individual's children to the public schools of any district other than the one to which ~~[he]~~ such individual has sent notice pursuant to this subsection in that school year or in which the majority of ~~[his]~~ such individual's property lies without paying tuition to such school district.

5. If a pupil is attending school in a district other than the district of residence and the pupil's parent is teaching in the school district or is a regular employee of the school district which the pupil is attending, then the district in which the pupil attends school shall allow the pupil to attend school upon payment of tuition in the same manner in which the district allows other pupils not entitled to free instruction to attend school in the district. The provisions of this subsection shall apply only to pupils attending school in a district which has an enrollment in excess of thirteen thousand pupils and not in excess of fifteen thousand pupils and which district is located in a county with a charter form of government which has a population in excess of six hundred thousand persons and not in excess of nine hundred thousand persons.

6. (1) As used in this subsection, the following terms mean:

(a) "Contractor", an individual who devotes at least twenty paid hours per week fulfilling employment requirements or providing services to or for the benefit of a school district or public school employer in such district in any job title or position that is covered for an employee with such job title or in such position by a retirement system created under chapter 169 under a contract between such individual or such individual's employer and such school district or public school;

1 (b) "Regular employee", an individual who devotes at least twenty paid hours per week
2 fulfilling employment requirements or providing services to or for the benefit of a school district or
3 public school in such district in any position that is covered by a retirement system created under
4 chapter 169.

5 (2) (a) For the 2025-26 school year and all subsequent school years, a school district may
6 admit a child whose parent is a contractor or regular employee of a school district other than the
7 child's school district of residence or a public school in such district, and such child may attend
8 school in such nonresident school district.

9 (b) Such nonresident school district shall allow the child to attend school in the same
10 manner in which the district allows other pupils who are entitled to free instruction to attend school
11 in the district and without paying a tuition fee.

12 (c) Such child shall be considered a resident pupil of such nonresident district under the
13 definition of average daily attendance in section 163.011.

14 (d) If such child wishes to attend a school within the nonresident district that is a magnet
15 school, an academically selective school, or a school with a competitive entrance process that has
16 admissions requirements, the child's parent shall furnish proof that the child meets the admissions
17 requirements for such school in order to attend.

18 (3) The school district or public school may require:

19 (a) A contractor to provide documentation showing that such contractor meets the
20 requirements of this subsection; and

21 (b) A contractor or regular employee to have worked a minimum number of days, not to
22 exceed sixty, for such contractor's or regular employee's child to be eligible to attend school in such
23 nonresident school district under this subsection.

24 (4) Neither the resident district nor nonresident district shall be responsible for providing
25 transportation services under this subsection.

26 (5) If the parent of a nonresident child attending school under this subsection ceases to be a
27 contractor or regular employee of a school district, the child may complete the school year as
28 provided under the provisions of this subsection."; and

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.