

SECOND REGULAR SESSION

HOUSE BILL NO. 2625

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TAYLOR (48).

4800H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 163.021 as enacted by senate bill no. 727, one hundred second general assembly, second regular session, and to enact in lieu thereof one new section relating to state aid to schools.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 163.021 as enacted by senate bill no. 727, one hundred second
2 general assembly, second regular session, is repealed and one new section enacted in lieu
3 thereof, to be known as section 163.021, to read as follows:

163.021. 1. A school district shall receive state aid for its education program only if
2 it:

3 (1) Provides for at least a minimum school term as provided in section 171.031.
4 When the aggregate hours lost in a term due to inclement weather decreases the total hours of
5 the school term below the required minimum number of hours by more than twelve hours for
6 all-day students or six hours for one-half-day kindergarten students, all such hours below the
7 minimum must be made up as provided in section 171.033;

8 (2) Maintains adequate and accurate records of attendance, personnel and finances, as
9 required by the state board of education, which shall include the preparation of a financial
10 statement which shall be submitted to the state board of education the same as required by the
11 provisions of section 165.111 for districts;

12 (3) Levies an operating levy for school purposes of not less than one dollar and
13 twenty-five cents after all adjustments and reductions on each one hundred dollars assessed
14 valuation of the district; and

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (4) Computes average daily attendance as defined in subdivision (2) of section
16 163.011 as modified by section 171.031. Whenever there has existed within the district an
17 infectious disease, contagion, epidemic, plague or similar condition whereby the school
18 attendance is substantially reduced for an extended period in any school year, the
19 apportionment of school funds and all other distribution of school moneys shall be made
20 on the basis of the school year next preceding the year in which such condition existed.

21 2. **(1)** For the 2006-07 school year and thereafter, no school district shall receive
22 more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education
23 program, exclusive of categorical add-ons, than it received per weighted average daily
24 attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial
25 reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an
26 operating levy for school purposes, as determined pursuant to section 163.011, of not less
27 than:

28 **(a) For school years ending on or before June 30, 2026,** two dollars and seventy-
29 five cents after all adjustments and reductions; **and**

30 **(b) For the 2026-27 school year and all subsequent school years, one dollar and**
31 **fifty cents after all adjustments and reductions.**

32 **(2)** Any district which is required, pursuant to Article X, Section 22 of the Missouri
33 Constitution, to reduce its operating levy below the minimum tax rate otherwise required
34 under this subsection shall not be construed to be in violation of this subsection for making
35 such tax rate reduction.

36 **(3)** Pursuant to Section 10(c) of Article X of the state constitution, a school district
37 may levy the operating levy for school purposes required by this subsection less all
38 adjustments required pursuant to Article X, Section 22 of the Missouri Constitution if such
39 rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year.

40 **(4)** Nothing in this section shall be construed to mean that a school district is
41 guaranteed to receive an amount not less than the amount the school district received per
42 eligible pupil for the school year 1990-91.

43 **(5)** The provisions of this subsection shall not apply to any school district located in a
44 county of the second classification which has a nuclear power plant located in such district or
45 to any school district located in a county of the third classification which has an electric
46 power generation unit with a rated generating capacity of more than one hundred fifty
47 megawatts which is owned or operated or both by a rural electric cooperative except that such
48 school districts may levy for current school purposes and capital projects an operating levy
49 not to exceed two dollars and seventy-five cents less all adjustments required pursuant to
50 Article X, Section 22 of the Missouri Constitution.

51 3. No school district shall receive more state aid, as calculated in section 163.031, for
52 its education program, exclusive of categorical add-ons, than it received per eligible pupil for
53 the school year 1993-94, if the state board of education determines that the district was not in
54 compliance in the preceding school year with the requirements of section 163.172, until such
55 time as the board determines that the district is again in compliance with the requirements of
56 section 163.172.

57 4. No school district shall receive state aid, pursuant to section 163.031, if such
58 district was not in compliance, during the preceding school year, with the requirement,
59 established pursuant to section 160.530 to allocate revenue to the professional development
60 committee of the district.

61 5. No school district shall receive more state aid, as calculated in subsections 1 and 2
62 of section 163.031, for its education program, exclusive of categorical add-ons, than it
63 received per weighted average daily attendance for the school year 2005-06 from the
64 foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and
65 free textbook payment amounts, if the district did not comply in the preceding school year
66 with the requirements of subsection 5 of section 163.031.

67 6. Any school district that levies an operating levy for school purposes that is less
68 than the performance levy, as such term is defined in section 163.011, shall provide written
69 notice to the department of elementary and secondary education asserting that the district is
70 providing an adequate education to the students of such district. If a school district asserts
71 that it is not providing an adequate education to its students, such inadequacy shall be deemed
72 to be a result of insufficient local effort. The provisions of this subsection shall not apply to
73 any special district established under sections 162.815 to 162.940.

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