

State of Wisconsin



2017 Assembly Bill 835

Date of enactment: **March 12, 2018**

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2017 WISCONSIN ACT 141

AN ACT to renumber and amend 121.905 (1); to amend 115.436 (3) (a); and to create 121.905 (1) (b) of the statutes; relating to: sparsity aid, the revenue limit ceiling for school districts, and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 115.436 (3) (a) of the statutes, as affected by 2017 Wisconsin Act 59, is amended to read:

115.436 (3) (a) Beginning in the ~~2009-10~~ 2018-19 school year, from the appropriation under s. 20.255 (2) (ae) and subject to par. (b), the department shall pay to each school district eligible for sparsity aid ~~\$300~~ \$400 multiplied by the membership in the previous school year.

SECTION 2. 121.905 (1) of the statutes is renumbered 121.905 (1) (a) and amended to read:

121.905 (1) (a) ~~It~~ Except as provided in par. (b), in this section, "revenue ceiling" means ~~\$9,000 in the 2011-12 school year and in the 2012-13 school year and \$9,100 in the 2013-14~~ 2017-18 school year, ~~\$9,400 in the 2018-19 school year, \$9,500 in the 2019-20 school year, \$9,600 in the 2020-21 school year, \$9,700 in the 2021-22 school year, and \$9,800 in the 2022-23 school year~~ and in any subsequent school year.

SECTION 3. 121.905 (1) (b) of the statutes is created to read:

121.905 (1) (b) 1. Except as provided in subd. 3., if a referendum on a resolution adopted by a school board under s. 121.91 (3) (a) was held during the 2015-16, 2016-17, or 2017-18 school year and a majority of those voting rejected the resolution, the school district's "re-

venue ceiling" is \$9,100 in the 3 school years following the school year during which the referendum was held. This subdivision does not apply to a school district if a subsequent referendum is held on a resolution adopted by the school board under s. 121.91 (3) (a) during the 2015-16, 2016-17, 2017-18, or 2018-19 school year and a majority of those voting approved the resolution.

2. Except as provided in subd. 3., if a referendum on a resolution adopted by a school board under s. 121.91 (3) (a) is held during the 2018-19 school year or any school year thereafter and a majority of those voting reject the resolution, for the 3 school years following the school year during which the referendum is held, that school district's "revenue ceiling" is the applicable amount under par. (a) for the school year during which the referendum is held.

3. If, during the 3-school-year period during which a school district's revenue ceiling is an amount determined under subd. 1. or 2., a referendum on a resolution adopted by the school board under s. 121.91 (3) (a) is held and a majority of those voting approve the resolution, beginning in the school year immediately following the school year during which the referendum is held, the school district's "revenue ceiling" is the amount under par. (a).

SECTION 3m. Nonstatutory provisions.

(1) REFERENDUM TO INCREASE REVENUE CEILING; PRIOR FAILED REFERENDA. If a school board wishes to have

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

the definition of “revenue ceiling” in section 121.905 (1) (a) of the statutes apply to the school district in the 2018–19, 2019–20, or 2020–21 school year even though the definition of “revenue ceiling” in section 121.905 (1) (b) 1. of the statutes would otherwise apply to the school district, the school board shall adopt a resolution to that effect. The resolution shall specify the school years to which the resolution applies. The resolution shall be filed as provided in section 8.37 of the statutes. Within 10 days after adopting the resolution, the school board shall notify the department of public instruction that it will schedule a referendum for the purpose of submitting the resolution to the electors of the school district for approval or rejection and shall submit a copy of the resolution to the department. The school board shall schedule the referendum to be held at the next regularly scheduled spring primary or election or partisan primary or general election, provided such election is to be held not sooner than 70 days after the filing of the resolution of the school board. The school district clerk shall certify the results of the referendum to the department of public instruction within 10 days after the referendum is held. Notwithstanding section 121.905 (1) (a) and (b) 1. of the statutes, the definition of “revenue ceiling” in section 121.905 (1)

(a) of the statutes applies to the school district if the resolution is approved by a majority of those voting on the question.

(2) FAILED REFERENDA; 2017–18 SCHOOL YEAR EXCEPTION. Section 121.905 (1) (b) 1. of the statutes does not apply to a referendum on a resolution adopted by a school board under section 121.91 (3) (a) of the statutes that was held during the 2017–18 school year if at the same election a majority of those voting on the question rejected the resolution adopted under section 121.91 (3) (a) of the statutes and a majority of those voting on the question rejected a resolution adopted by the school board to issue general obligation bonds for the public purpose of constructing a new school building.

SECTION 4. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ae) of the statutes, the dollar amount for fiscal year 2018–19 is increased by \$6,454,600 to increase funding for the purpose for which the appropriation is made.

SECTION 5. Effective date.

(1) SPARSITY AID INCREASE. The treatment of section 115.436 (3) (a) of the statutes takes effect on July 1, 2018.
