SB269 ENGROSSED



- 1 EH7BC2-2
- 2 By Senator Orr
- 3 RFD: Finance and Taxation Education
- 4 First Read: 02-May-23

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6 2023 Regular Session



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to education; to establish the K-12 Capital
10	Grant Program within the Office of the Lieutenant Governor to
11	provide grants to local schools to assist with capital
12	project, deferred maintenance, or technology needs; to provide
13	the purposes for which grant funds can be used; to establish
14	the process for grant applications and approvals; to establish
15	the K-12 Capital Grant Program Fund in the State Treasury; and
16	to provide an effective date.
17	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
18	Section 1. The following words and phrases, whenever
19	used in this act, shall have the following meanings:
20	(1) ELIGIBLE K-12 ENTITY. Any public school in
21	operation for the current fiscal year providing appropriate
22	elementary instruction and eligible to participate in
23	allocations from the Advancement and Technology Fund pursuant
24	to Section 29-9-4, Code of Alabama 1975.
25	(2) GRANT. The award by the Office of the Lieutenant
26	Governor of funds appropriated by the Legislature to an
27	eligible K-12 entity.
28	(3) GRANT PROPOSAL. A written plan for the expenditure



29 of funds by an eliqible K-12 entity, which meets one or more 30 of the purposes outlined in Section 3, subject to the approval 31 by the Office of the Lieutenant Governor and expended under 32 the direction of the head of the eligible K-12 entity. 33 Section 2. There is hereby created the Alabama K-12 Capital Grant Program within the Office of the Lieutenant 34 35 Governor to award grants to local school systems to assist 36 with capital project, deferred maintenance, or technology 37 needs of the school systems. The Legislature may from time to time appropriate funds into the K-12 Capital Grant Program 38 39 Fund hereby established within the State Treasury to 40 facilitate the grant program. An amount determined necessary by the Office of the Lieutenant Governor, but not to exceed 41 42 one-quarter of one percent of the available fund monies, may 43 be used for the administrative costs of implementing the grant program. Provided, however, that no funds shall be withdrawn 44 45 or expended except as budgeted and allocated in accordance 46 with Article 4 of Chapter 4 of Title 41, Code of Alabama 1975, 47 and only in the amounts provided by the Legislature in an 48 appropriation bill. Any unencumbered and unexpended balance of 49 this fund remaining at the end of any fiscal year shall not 50 lapse or revert, but shall be carried forward for the purposes 51 of this act until expended. 52 Section 3. K-12 Capital Grants shall be made for only 53 the following purposes: 1) To assist with the total cost of 54 capital projects that will enhance the educational environment 55 of students, including the construction, reconstruction, or 56 renovation of permanent buildings containing classrooms,



- offices, libraries, laboratories, teaching facilities,
- training facilities, cafeterias, alternative schools, physical
- 59 education facilities, including athletic facilities,
- facilities for the performing arts and arts education,
- together with tangible personal property that becomes a part
- of such facilities; 2) to provide funds to assist with the
- 63 payment of existing debt service related to capital projects;
- 64 3) to assist with the total cost of necessary deferred
- 65 maintenance for existing facilities; 4) to assist with the
- 66 total cost of projects that will improve school security and
- safety; and 5) for technology and equipment for schools or
- 68 students that will provide access expanded educational
- 69 opportunities.
- 70 Section 4. (a) The Office of the Lieutenant Governor
- 71 shall evaluate grant proposals based upon the following
- 72 criteria:
- 73 (1) The total amount of state funds available for
- 74 grants, with the maximum grant amount from state funds not to
- 75 exceed \$5 million for any grant proposal;
- 76 (2) The purposes for which the grant funds are
- 77 intended;
- 78 (3) The availability of local matching funds, so long
- as there is not a required match of more than 35% of the total
- 80 cost of the project; and
- 81 (4) The extent to which the grant proposals benefit
- 82 eligible K-12 entities in each geographic area of the state,
- 83 understanding the number of students and school systems
- located within each geographic area vary throughout the state.



(b) The Office of the Lieutenant Governor shall utilize
a sliding scale of matching requirements for grant proposals,
taking into consideration the financial capacity of the
eligible K-12 entity to provide matching funds. The office
shall ensure that grant proposals from eligible K-12 entities
with considerable populations of at-risk students receive
priority consideration for review.

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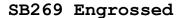
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- (c) Any eligible K-12 entity receiving grant funds pursuant to this act shall file a report with the Office of the Lieutenant Governor within one-year following the receipt of the funds. The report shall indicate that expenditures are in accordance with the associated grant proposal and other state laws. Upon a finding that grant expenditures are not in accordance with these conditions, the Office of the Lieutenant Governor shall suspend the release of further grant funds to the entity.
- 101 (d) The Department of the Examiners of Public Accounts
 102 shall examine compliance of the recipient K-12 entities with
 103 the grant program.
- 104 (e) The Office of the Lieutenant Governor shall design
 105 and distribute a grant proposal instrument to the State
 106 Department of Education to make available to eligible K-12
 107 entities. The Office shall maintain electronic records of all
 108 grant proposals for all grants currently in effect and all
 109 completed grants and may promulgate reasonable rules necessary
 110 to implement the provisions of this act.
- Section 5. This act shall become effective immediately following its passage and approval by the Governor, or its



113 otherwise becoming law.





114 115 116 Senate 117 Read for the first time and referred02-May-23 to the Senate committee on Finance 118 and Taxation Education 119 120 121 on the calendar: 122 123 0 amendments 124 Read for the third time and passed04-May-23 125 126 as amended Yeas 34 127 Nays 0 128 129 Abstains 0 130 131 Patrick Harris, 132 133 Secretary. 134