1    EH7BC2-1
2    By Senator Orr
3    RFD: Finance and Taxation Education
4    First Read: 02-May-23
5
6    2023 Regular Session
SYNOPSIS:

This bill would establish the K-12 Capital Grant Program within the Office of the Lieutenant Governor to provide grants to local schools to assist with capital project, deferred maintenance, or technology needs. This bill would establish the process for grant applications, the purposes for which grant funds could be made, and the criteria used to evaluate grant proposals.

In addition, this bill would establish the K-12 Capital Grant Program Fund in the State Treasury to receive appropriations made by the Legislature to implement the program.

A BILL TO BE ENTITLED AN ACT

Relating to education; to establish the K-12 Capital Grant Program within the Office of the Lieutenant Governor to provide grants to local schools to assist with capital project, deferred maintenance, or technology needs; to provide the purposes for which grant funds can be used; to establish the process for grant applications and approvals; to establish
the K-12 Capital Grant Program Fund in the State Treasury; and
to provide an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following words and phrases, whenever
used in this act, shall have the following meanings:

(1) ELIGIBLE K-12 ENTITY. Any public school in
operation for the current fiscal year providing appropriate
elementary instruction and eligible to participate in
allocations from the Advancement and Technology Fund pursuant

(2) GRANT. The award by the Office of the Lieutenant
Governor of funds appropriated by the Legislature to an
eligible K-12 entity.

(3) GRANT PROPOSAL. A written plan for the expenditure
of funds by an eligible K-12 entity, which meets one or more
of the purposes outlined in Section 3, subject to the approval
by the Office of the Lieutenant Governor and expended under
the direction of the head of the eligible K-12 entity.

Section 2. There is hereby created the Alabama K-12
Capital Grant Program within the Office of the Lieutenant
Governor to award grants to local school systems to assist
with capital project, deferred maintenance, or technology
needs of the school systems. The Legislature may from time to
time appropriate funds into the K-12 Capital Grant Program
Fund hereby established within the State Treasury to
facilitate the grant program. Provided, however, that no funds
shall be withdrawn or expended except as budgeted and
allocated in accordance with Article 4 of Chapter 4 of Title
41, Code of Alabama 1975, and only in the amounts provided by
the Legislature in an appropriation bill. Any unencumbered and
unexpended balance of this fund remaining at the end of any
fiscal year shall not lapse or revert, but shall be carried
forward for the purposes of this act until expended.

Section 3. K-12 Capital Grants shall be made for only
the following purposes: 1) To assist with the total cost of
capital projects that will enhance the educational environment
of students, including the construction, reconstruction, or
renovation of permanent buildings containing classrooms,
offices, libraries, laboratories, teaching facilities,
training facilities, cafeterias, alternative schools, physical
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
payment of existing debt service related to capital projects;
3) to assist with the total cost of necessary deferred
maintenance for existing facilities; 4) to assist with the
total cost of projects that will improve school security and
safety; and 5) for technology and equipment for schools or
students that will provide access expanded educational
opportunities.

Section 4. (a) The Office of the Lieutenant Governor
shall evaluate grant proposals based upon the following
criteria:

(1) The total amount of state funds available for
grants, with the maximum grant amount from state funds not to
(2) The purposes for which the grant funds are intended;

(3) The availability of local matching funds, so long as there is not a required match of more than 35% of the total cost of the project; and

(4) The extent to which the grant proposals benefit eligible K-12 entities in each geographic area of the state, 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.

(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.

(d) The Department of the Examiners of Public Accounts shall examine compliance of the recipient K-12 entities with
the grant program.

(e) The Office of the Lieutenant Governor shall design and distribute a grant proposal instrument to the State Department of Education to make available to eligible K-12 entities. The Office shall maintain electronic records of all grant proposals for all grants currently in effect and all completed grants and may promulgate reasonable rules necessary 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 otherwise becoming law.