EDUCATION

FILED JAN 12 2000

SENATE FILE 2022

BY JOHNSON

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing for the establishment of a safe schools
2 infrastructure block grant program and making an
3 appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. NEW SECTION. 297.37 SAFE SCHOOLS
2 INFRASTRUCTURE BLOCK GRANT PROGRAM.
3 1. A safe schools infrastructure block grant program is
4 established within the department of education. The purpose
5 of the program is to provide all school districts in the state
6 with financial resources to address and remedy fire and
7 personal safety needs, provide for school infrastructure
8 improvements, and furnish property tax relief.
9 a. As used in this section, "school facility" means a
10 schoolhouse and additions directly attached to a schoolhouse.
11 A school facility shall not include a stadium, fieldhouse,
12 school bus garage, or teacher's or superintendent's home.
13 b. As used in this section, "school infrastructure
14 improvements" means purchasing, building, furnishing,
15 reconstructing, repairing, improving, or remodeling a school
16 facility.
17 2. A school district shall expend program funds received
18 pursuant to subsection 3 as follows:
19 a. The highest priority for program fund expenditures
20 shall be the making of school infrastructure improvements
21 relating to unmet fire and personal safety needs. A school
22 district shall be considered to have unmet fire and personal
23 safety needs if one of the following applies:
24 (1) The school district has received an order or citation
25 from the state fire marshal, or a fire department chief or
26 fire prevention officer, for one or more fire safety
27 violations regarding a school facility, or in the opinion of
28 the state fire marshal, the school district is regarded as
29 operating one or more school facilities subject to significant
30 fire safety deficiencies.
31 (2) The school district has been notified of a violation
32 or deficiency of the state building code revealed during an
33 inspection of school facilities by a local building
34 department, or for the need for improvements consistent with
35 the standards and specifications contained in the state

1 building code that relate to ensuring that buildings and
2 facilities are accessible to and functional for persons with
3 disabilities.
4 A school district to which subparagraph (1) or (2) applies
5 shall be required to utilize program funds to correct the
6 applicable fire and personal safety violation or deficiency,
7 prior to expenditure of funds under this section for any other
8 purpose authorized by this section, unless the district
9 submits documentation to the department that conclusively
10 demonstrates that the violation or deficiency is sufficiently
11 serious or widespread that it would be more cost-effective for
12 the district to allocate program funds for new school facility
13 construction. A school district that provides such
14 documentation may distribute school infrastructure program
15 funds pursuant to paragraph "b", subparagraph (2), and if
16 funds remain unexpended after fire and personal safety needs
17 violations and deficiencies have been corrected through new
18 school facility construction, the funds may be utilized
19 pursuant to paragraph "b", subparagraph (3).
20 b. If the requirements of paragraph "a" have either been
21 satisfied or do not apply, the board of directors of a school
22 district may expend funds received pursuant to subsection 3 to
23 provide school infrastructure improvements or to furnish
24 property tax relief.
25 (1) The board of directors shall hold a public hearing on
26 the question of utilization of program funds received pursuant
27 to this section to provide school infrastructure improvements,
28 other than improvements to correct unmet fire and personal
29 safety needs or violations pursuant to paragraph "a", or to
30 furnish property tax relief. The board shall set forth its
31 proposal for utilization of the funds in a resolution and
32 shall publish the notice of the time and place of a public
33 hearing on the resolution. Notice of the time and place of
34 the public hearing shall be published not less than ten nor
35 more than twenty days before the public hearing in a newspaper

1 which is a newspaper of general circulation in the school
2 district.
3 At the hearing, or no later than thirty days after the date
4 of the hearing, the board shall take action to adopt the
5 resolution and the proposal shall be implemented unless within
6 twenty-eight days following the action of the board, the
7 secretary of the board receives a petition containing the
8 required number of signatures asking that an election be
9 called to approve or disapprove the action of the board in
10 utilizing the funds received pursuant to this section. The
11 petition must be signed by eligible electors equal in number
12 to not less than one hundred or thirty percent of the number
13 of voters at the last preceding regular school election,
14 whichever is greater.
15 The board shall either rescind its action or direct the
16 county commissioner of elections to submit the question to the
17 registered voters of the school district at the next following
18 regular school election or a special election. If a majority
19 of those voting on the question at the election favors
20 disapproval of the action of the board, the district shall not
21 proceed with implementation of the proposal and an additional
22 public hearing subject to a subsequent petition, as provided
23 in this subparagraph, shall be scheduled regarding an
24 alternative school board proposal. If a majority of those
25 voting on the question favors approval of the action, the
26 board shall certify the results of the election to the
27 department of management and the district shall proceed with
28 implementation.
29 At the expiration of the twenty-eight-day period, if a
30 petition is not filed, the board shall certify its action to
31 the department of management and the district shall implement
32 the proposal.
33 (2) Funds utilized for school infrastructure improvements
34 shall be allocated strictly for improvements to a school
35 facility as provided in subsection 1. A school district which

1 has submitted documentation to the department demonstrating
2 that unmet fire or personal safety needs are sufficiently
3 serious or widespread that new school facility construction
4 would be more cost-effective shall complete construction
5 necessary to correct the violation or deficiency prior to
6 utilizing funds for any other authorized purpose.
7 (3) A school district utilizing funds for property tax
8 relief shall be required to deposit amounts received in the
9 school district's debt service fund pursuant to section
10 298A.10. Notwithstanding provisions in section 298A.10 which
11 permit the transfer of funds remaining in the debt service
12 fund after payment of all outstanding debt, funds deposited
13 into the debt service fund for property tax relief pursuant to
14 this section shall remain in the fund to be used only for
15 property tax relief.
16 3. There is appropriated to the department of education
17 from amounts deposited in the tobacco settlement fund pursuant
18 to section 12.65, notwithstanding any other provision to the
19 contrary, twenty million dollars per year for a ten-year
20 period beginning July 1, 1999, to fund the safe schools
21 infrastructure block grant program. The funds shall be
22 distributed to school districts on a per pupil basis, in an
23 annual amount for each district calculated pursuant to a
24 formula whereby twenty million dollars is multiplied by a
25 fraction, the numerator of which is the ratio of the state
26 assessed property value per pupil to the district assessed
27 property value per pupil multiplied by the budget enrollment
28 for the school district, and the denominator of which is the
29 sum for all school districts in the state of the ratio, for
30 each respective school district, of the state-assessed
31 property value per pupil to the district-assessed property
32 value per pupil multiplied by the budget enrollment of the
33 school district. The state-assessed valuation per pupil and
34 district-assessed valuation per pupil calculations shall be as
35 determined by the department of management pursuant to section

1 257.20.
2 4. Safe schools infrastructure block grant funds
3 distributed to school districts shall be separately accounted
4 for by the district, and each district shall annually submit
5 to the department a detailed report regarding fund
6 utilization. The department shall submit a report to the
7 general assembly on an annual basis summarizing the
8 information received from each school district and noting
9 changing school infrastructure needs and updated, unmet fire
10 and safety need statistics.
11 EXPLANATION
12 This bill provides for the establishment and funding of a
13 safe schools infrastructure block grant program within the
14 department of education. The objective of the program is to
15 provide all school districts in the state with financial
16 resources to address and remedy fire and personal safety
17 needs, provide for school infrastructure improvements, and
18 furnish property tax relief.
19 The bill provides the highest priority for program fund
20 expenditures will be to address unmet fire and personal safety
21 needs. The bill provides that a school district which has
22 received an order or citation from the state fire marshal, or
23 a fire department chief or fire prevention officer, for one or
24 more fire safety violations regarding a school facility, or in
25 the opinion of the state fire marshal is regarded as operating
26 one or more school facilities subject to significant fire
27 safety deficiencies, will be regarded as having unmet fire
28 safety needs. The bill additionally provides that a school
29 district which has been notified of violations or deficiencies
30 of the state building code revealed during an inspection of
31 school facilities by a local building department, or for the
32 need for improvements consistent with the standards and
33 specifications contained in the state building code that
34 relate to ensuring that buildings and facilities are
35 accessible to and functional for persons with disabilities,

1 will be regarded as having unmet personal safety needs. The
2 bill provides that a school district will be required to
3 utilize program funds to correct the applicable fire and
4 personal safety violations or deficiencies unless the district
5 submits documentation to the department demonstrating that the
6 violations or deficiencies are sufficiently serious that it
7 would be more cost-effective for the district to allocate
8 program funds for new school facility construction.
9 The bill provides that after unmet fire and personal safety
10 needs have been addressed by a school district, or in the
11 event that the district either did not have unmet needs or the
12 needs were sufficiently serious that new school facility
13 construction was indicated, program funds may be allocated
14 either for school facility infrastructure improvements or to
15 furnish property tax relief. The bill defines a school
16 facility as a schoolhouse and additions directly attached
17 thereto, and provides that a school facility does not include
18 a stadium, fieldhouse, school bus garage, or teacher's or
19 superintendent's home. The bill defines "school
20 infrastructure improvements" as purchasing, building,
21 furnishing, reconstructing, repairing, improving, or
22 remodeling a school facility. A school district utilizing
23 funds for property tax relief will be required to deposit and
24 maintain unexpended amounts received in the school district's
25 debt services fund pursuant to Code section 298A.10. The bill
26 provides that prior to program fund expenditure for either
27 school infrastructure improvements or property tax relief, a
28 public hearing subject to reverse referendum will occur
29 regarding the school district board of director's proposal for
30 utilization of the funds.
31 The bill provides that the safe schools infrastructure
32 block grant program will be funded through an appropriation to
33 the department of education from amounts deposited in the
34 tobacco settlement fund pursuant to Code section 12.65, of $20
35 million per year for a 10-year period. The bill provides that

1 the funds will be distributed annually to school districts on
2 a per pupil basis pursuant to a formula which multiplies $20
3 million by an amount calculated to adjust for school districts
4 with low property assessed values per pupil relative to a
5 state average property assessed value per pupil.
6 The bill provides that safe schools infrastructure block
7 grant funds distributed to school districts shall be
8 separately accounted for by the district and that each
9 district shall annually submit to the department a detailed
10 report regarding fund utilization. The department is required
11 to submit a report to the general assembly on an annual basis
12 summarizing the information received from each school district
13 and noting changing school infrastructure needs and updated,
14 unmet fire and safety need statistics.
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