

SB269 INTRODUCED



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



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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



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29 the K-12 Capital Grant Program Fund in the State Treasury; and
30 to provide an effective date.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

34 (1) ELIGIBLE K-12 ENTITY. Any public school in
35 operation for the current fiscal year providing appropriate
36 elementary instruction and eligible to participate in
37 allocations from the Advancement and Technology Fund pursuant
38 to Section 29-9-4, Code of Alabama 1975.

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

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

47 Section 2. There is hereby created the Alabama K-12
48 Capital Grant Program within the Office of the Lieutenant
49 Governor to award grants to local school systems to assist
50 with capital project, deferred maintenance, or technology
51 needs of the school systems. The Legislature may from time to
52 time appropriate funds into the K-12 Capital Grant Program
53 Fund hereby established within the State Treasury to
54 facilitate the grant program. Provided, however, that no funds
55 shall be withdrawn or expended except as budgeted and
56 allocated in accordance with Article 4 of Chapter 4 of Title



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57 41, Code of Alabama 1975, and only in the amounts provided by
58 the Legislature in an appropriation bill. Any unencumbered and
59 unexpended balance of this fund remaining at the end of any
60 fiscal year shall not lapse or revert, but shall be carried
61 forward for the purposes of this act until expended.

62 Section 3. K-12 Capital Grants shall be made for only
63 the following purposes: 1) To assist with the total cost of
64 capital projects that will enhance the educational environment
65 of students, including the construction, reconstruction, or
66 renovation of permanent buildings containing classrooms,
67 offices, libraries, laboratories, teaching facilities,
68 training facilities, cafeterias, alternative schools, physical
69 education facilities, including athletic facilities,
70 facilities for the performing arts and arts education,
71 together with tangible personal property that becomes a part
72 of such facilities; 2) to provide funds to assist with the
73 payment of existing debt service related to capital projects;
74 3) to assist with the total cost of necessary deferred
75 maintenance for existing facilities; 4) to assist with the
76 total cost of projects that will improve school security and
77 safety; and 5) for technology and equipment for schools or
78 students that will provide access expanded educational
79 opportunities.

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

83 (1) The total amount of state funds available for
84 grants, with the maximum grant amount from state funds not to



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85 exceed \$5 million for any grant proposal;

86 (2) The purposes for which the grant funds are
87 intended;

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

91 (4) The extent to which the grant proposals benefit
92 eligible K-12 entities in each geographic area of the state,
93 understanding the number of students and school systems
94 located within each geographic area vary throughout the state.

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

102 (c) Any eligible K-12 entity receiving grant funds
103 pursuant to this act shall file a report with the Office of
104 the Lieutenant Governor within one-year following the receipt
105 of the funds. The report shall indicate that expenditures are
106 in accordance with the associated grant proposal and other
107 state laws. Upon a finding that grant expenditures are not in
108 accordance with these conditions, the Office of the Lieutenant
109 Governor shall suspend the release of further grant funds to
110 the entity.

111 (d) The Department of the Examiners of Public Accounts
112 shall examine compliance of the recipient K-12 entities with



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113 the grant program.

114 (e) The Office of the Lieutenant Governor shall design
115 and distribute a grant proposal instrument to the State
116 Department of Education to make available to eligible K-12
117 entities. The Office shall maintain electronic records of all
118 grant proposals for all grants currently in effect and all
119 completed grants and may promulgate reasonable rules necessary
120 to implement the provisions of this act.

121 Section 5. This act shall become effective immediately
122 following its passage and approval by the Governor, or its
123 otherwise becoming law.