

JAN 24 2002  
EDUCATION

HOUSE FILE 2102  
BY WARNSTADT

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for the creation of a school infrastructure  
2 assistance program, and making an appropriation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 2102

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1 Section 1. NEW SECTION. 256.24 SCHOOL INFRASTRUCTURE  
2 ASSISTANCE PROGRAM.

3 1. The department shall establish a school infrastructure  
4 assistance program. The purpose of the program shall be to  
5 provide financial assistance to school districts facing school  
6 infrastructure needs which are determined to fall below the  
7 median property tax infrastructure capacity per pupil for the  
8 state. For the purposes of this section, "school  
9 infrastructure" means activities initiated on or after July 1,  
10 2002, as authorized in section 296.1 but does not include  
11 those activities related to stadiums, bus barns, a home or  
12 homes of a teacher or superintendent, procuring and improving  
13 a site for an athletic field, or improving a site already  
14 owned for an athletic field.

15 2. A school district shall be eligible to participate in  
16 the school infrastructure assistance program if the school  
17 district has imposed a local sales and services tax for school  
18 infrastructure pursuant to chapter 422E which is in effect on  
19 the program application date, and the district's property tax  
20 infrastructure capacity per pupil, as defined in section  
21 292.1, falls below the median property tax infrastructure  
22 capacity per pupil calculated for each school district in the  
23 state. A school district with a combined tax capacity, as  
24 determined pursuant to subsection 3, which equals or exceeds  
25 the median property tax infrastructure capacity per pupil for  
26 the state shall not be eligible for assistance pursuant to  
27 this section.

28 3. In order to determine the amount of funding which an  
29 eligible school district may receive, the department shall  
30 determine a combined tax capacity for each school district in  
31 the state. The combined tax capacity shall equal the  
32 district's property tax infrastructure capacity per pupil plus  
33 the per pupil amount generated in the district by the local  
34 sales and services tax for school infrastructure. An eligible  
35 school district may receive an amount up to that amount

1 necessary to raise the district's combined tax capacity up to  
2 the median property tax infrastructure capacity per pupil for  
3 the state.

4 4. A school district wishing to participate in the school  
5 infrastructure assistance program shall submit an application  
6 to the department on a form developed by the department by  
7 October 15 annually. In the event that the amount  
8 appropriated annually to fund the program pursuant to section  
9 256.25 is insufficient to raise all eligible applicant school  
10 districts up to the median property tax infrastructure  
11 capacity for the state, the department shall prorate  
12 allocations from the fund to all eligible applicant school  
13 districts.

14 Sec. 2. NEW SECTION. 256.25 SCHOOL INFRASTRUCTURE  
15 ASSISTANCE PROGRAM -- APPROPRIATION.

16 Notwithstanding section 8.57, subsection 5, paragraph "c",  
17 there is appropriated annually from the rebuild Iowa  
18 infrastructure fund created in section 8.57 to the department  
19 of education the sum of thirty million dollars for the school  
20 infrastructure assistance program. Notwithstanding section  
21 8.33, moneys appropriated to the department for the school  
22 infrastructure assistance fund shall not revert but shall  
23 remain available for allocation in future years.

24 EXPLANATION

25 This bill provides for the creation of a school  
26 infrastructure assistance program to be administered by the  
27 department of education. The bill provides that the purpose  
28 of the program shall be to supply financial assistance to  
29 school districts facing school infrastructure needs which are  
30 determined to fall below the median property tax  
31 infrastructure capacity per pupil for the state. The bill  
32 references Code section 296.1 regarding a definition of  
33 "school infrastructure" for activities initiated on or after  
34 July 1, 2002, but provides that school infrastructure shall  
35 not include activities related to stadiums, bus barns, a home

1 or homes of a teacher or superintendent, procuring and  
2 improving a site for an athletic field, or improving a site  
3 already owned for an athletic field.

4 The bill provides that a school district shall be eligible  
5 to participate in the school infrastructure assistance program  
6 if the district has imposed a local sales and services tax for  
7 school infrastructure which is in effect on the program  
8 application date, and if the district's property tax  
9 infrastructure capacity per pupil, as determined pursuant to  
10 Code section 292.1, subsection 7, falls below the median  
11 property tax infrastructure capacity per pupil calculated for  
12 all school districts in the state. Code section 292.1,  
13 subsection 7, provides that a school district's property tax  
14 infrastructure capacity per pupil equals the sum of a school  
15 district's levies under Code sections 298.2 and 298.18 if  
16 imposed to the maximum extent permissible in a school budget  
17 year, divided by a school district's basic enrollment for the  
18 budget year.

19 The bill provides that to determine the amount of funding  
20 which an eligible school district may receive, the department  
21 shall determine a combined tax capacity for each school  
22 district in the state. The bill provides that the combined  
23 tax capacity shall equal a district's property tax  
24 infrastructure capacity per pupil plus the per pupil amount  
25 generated in the district by the local sales and services tax  
26 for school infrastructure. The bill provides that an eligible  
27 school district may receive an amount up to that necessary to  
28 raise the district's combined tax capacity up to the median  
29 property tax infrastructure capacity per pupil for the state.

30 The bill provides that a school district wishing to  
31 participate in the school infrastructure assistance program  
32 shall submit an application to the department on a form  
33 developed by the department by October 15 annually, and  
34 provides for proration of amounts appropriated for the program  
35 in the event such amounts are insufficient to fully fund

1 allocations to all eligible applicant school districts. The  
2 bill further provides that a school district with a combined  
3 tax capacity which equals or exceeds the median property tax  
4 infrastructure capacity per pupil for the state shall not be  
5 eligible for assistance pursuant to the program.

6 The bill provides an annual appropriation from the rebuild  
7 Iowa infrastructure fund to the department of education of \$30  
8 million to fund the program.

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