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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4338

03/11/2020 Authored by Erickson, Koznick, Gruenhagen and Robbins
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; increasing safe schools revenue; requiring a report;
1.3 appropriating money; amending Minnesota Statutes 2018, sections 123B.61;
1.4 126C.44.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 123B.61, is amended to read:

1.7 123B.61 PURCHASE OF CERTAIN EQUIPMENT.

1.8 (a) The board of a district may issue general obligation certificates of indebtedness or
1.9 capital notes subject to the district debt limits to:

1.10 (a) (1) purchase vehicles, computers, telephone systems, cable equipment, photocopy
1.11 and office equipment, technological equipment for instruction, public announcement systems,
1.12 emergency communications devices, other equipment related to violence prevention and
1.13 facility security, and other capital equipment having an expected useful life at least as long
1.14 as the terms of the certificates or notes;

1.15 (b) (2) purchase computer hardware and software, without regard to its expected useful
1.16 life, whether bundled with machinery or equipment or unbundled, together with application
1.17 development services and training related to the use of the computer; and

1.18 (c) (3) prepay special assessments.

1.19 (b) The certificates or notes must be payable in not more than ten years and must be
1.20 issued on the terms and in the manner determined by the board, except that certificates or
1.21 notes issued to prepay special assessments must be payable in not more than 20 years. The

2.1 certificates or notes may be issued by resolution and without the requirement for an election.
 2.2 The certificates or notes are general obligation bonds for purposes of section 126C.55.

2.3 (c) A tax levy must be made for the payment of the principal and interest on the
 2.4 certificates or notes, in accordance with section 475.61, as in the case of bonds. The sum
 2.5 of the tax levies under this section and section 123B.62 for each year must not exceed the
 2.6 lesser of the sum of the amount of the district's total operating capital revenue and safe
 2.7 schools revenue or the sum of the district's levy in the general and community service funds
 2.8 excluding the adjustments under this section for the year preceding the year the initial debt
 2.9 service levies are certified.

2.10 (d) The district's general fund levy for each year must be reduced by the sum of:

2.11 (1) the amount of the tax levies for debt service certified for each year for payment of
 2.12 the principal and interest on the certificates or notes issued under this section as required
 2.13 by section 475.61; and

2.14 (2) the amount of the tax levies for debt service certified for each year for payment of
 2.15 the principal and interest on bonds issued under section 123B.62; and

2.16 (3) any excess amount in the debt redemption fund used to retire bonds, certificates, or
 2.17 notes issued under this section or section 123B.62 after April 1, 1997, other than amounts
 2.18 used to pay capitalized interest.

2.19 (e) If the district's general fund levy is less than the amount of the reduction, the balance
 2.20 shall be deducted first from the district's community service fund levy, and next from the
 2.21 district's general fund or community service fund levies for the following year.

2.22 (f) A district using an excess amount in the debt redemption fund to retire the certificates
 2.23 or notes shall report the amount used for this purpose to the commissioner by July 15 of the
 2.24 following fiscal year. A district having an outstanding capital loan under section 126C.69
 2.25 or an outstanding debt service loan under section 126C.68 must not use an excess amount
 2.26 in the debt redemption fund to retire the certificates or notes.

2.27 **EFFECTIVE DATE.** This section is effective July 1, 2020.

2.28 Sec. 2. Minnesota Statutes 2018, section 126C.44, is amended to read:

2.29 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

2.30 Subdivision 1. Safe schools revenue. ~~(a) Each district may make a levy on all taxable~~
 2.31 ~~property located within the district for the purposes specified in this section. The maximum~~
 2.32 ~~amount which may be levied for all costs under this section shall be equal to \$36 multiplied~~

3.1 ~~by the district's adjusted pupil units for the school year.~~ For fiscal year 2021 and later, safe
 3.2 schools revenue for a school district equals the sum of its safe schools levy and its safe
 3.3 schools aid.

3.4 Subd. 2. **Safe schools levy.** (a) For fiscal year 2021 and later, a district's safe schools
 3.5 levy equals the sum of its initial safe schools levy and its cooperative safe schools levy.

3.6 (b) For fiscal year 2021 and later, the initial safe schools levy for a district equals \$36
 3.7 times the district's adjusted pupil units for the school year.

3.8 (c) For fiscal year 2021 and later, the cooperative safe schools levy for a school district
 3.9 that is a member of an intermediate school district equals \$15 times the district's adjusted
 3.10 pupil units for the school year.

3.11 Subd. 3. **Safe schools aid.** (a) For fiscal year 2021 and later, a district's safe schools aid
 3.12 equals the sum of its initial safe schools aid and its cooperative safe schools aid.

3.13 (b) For fiscal year 2021 and later, the initial safe schools aid for a district equals the
 3.14 greater of: (1) \$..... minus the permitted levy under subdivision 2, paragraph (b); or (2)
 3.15 \$36 times the district's adjusted pupil units for the school year.

3.16 (c) For fiscal year 2021 and later, the cooperative safe schools aid for a school district
 3.17 that is a member of a cooperative unit other than an intermediate school district that enrolls
 3.18 students equals \$36 times the district's adjusted pupil units for the school year.

3.19 Subd. 4. **Intermediate district and cooperative unit revenue transfer.** Revenue raised
 3.20 under subdivisions 2, paragraph (c), and 3, paragraph (c), must be transferred to the
 3.21 intermediate school district or other cooperative unit of which the district is a member and
 3.22 used only for costs associated with safe schools activities authorized under subdivision 7,
 3.23 paragraph (a), clauses (1) to (10). If the district is a member of more than one cooperative
 3.24 unit that enrolls students, the revenue must be allocated among the cooperative units.

3.25 Subd. 5. **Safe schools revenue for a charter school.** (a) For fiscal year 2021 and later,
 3.26 safe schools revenue for a charter school equals \$36 times the adjusted pupil units for the
 3.27 school year.

3.28 (b) The revenue must be reserved and used only for costs associated with safe schools
 3.29 activities authorized under subdivision 7, paragraph (a), clauses (1) to (10), or for building
 3.30 lease expenses not funded by charter school building lease aid that are attributable to facility
 3.31 security enhancements made by the landlord after March 1, 2020.

4.1 Subd. 6. Safe schools revenue for a nonpublic school. (a) For fiscal year 2021 and
4.2 later, safe schools revenue for a nonpublic school equals \$36 times the adjusted pupil units
4.3 for the school year.

4.4 (b) Each school year, the commissioner must allot to the school districts or intermediary
4.5 service areas for the purposes of safe schools activities authorized under subdivision 7,
4.6 paragraph (a), clauses (1) to (10), the amount calculated under paragraph (a) for the pupils
4.7 in each respective nonpublic school for that school year.

4.8 Subd. 7. Uses of safe schools revenue. (a) ~~The proceeds of the levy revenue~~ must be
4.9 reserved and used for directly funding the following purposes or for reimbursing the cities
4.10 and counties who contract with the district for the following purposes:

4.11 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
4.12 officers and sheriffs for liaison in services in the district's schools;

4.13 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
4.14 subdivision 3, paragraph (e), in the elementary schools;

4.15 (3) to pay the costs for a gang resistance education training curriculum in the district's
4.16 schools;

4.17 (4) to pay the costs for security in the district's schools and on school property;

4.18 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
4.19 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
4.20 school district;

4.21 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
4.22 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
4.23 counselors to help provide early responses to problems;

4.24 (7) to pay for facility security enhancements including laminated glass, public
4.25 announcement systems, emergency communications devices, and equipment and facility
4.26 modifications related to violence prevention and facility security;

4.27 (8) to pay for costs associated with improving the school climate; ~~or~~

4.28 (9) to pay costs for collocating and collaborating with mental health professionals who
4.29 are not district employees or contractors; or for school-linked mental health services delivered
4.30 by telemedicine;

4.31 (10) to pay the costs of enhancing cybersecurity in the district's information systems; or

5.1 (11) by board resolution, to transfer money into the debt redemption fund to pay, when
 5.2 due, the amounts needed to meet principal and interest payments on obligations issued under
 5.3 sections 123B.61 and 123B.62 for purposes in clause (8).

5.4 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
 5.5 to contract for services to be provided by peace officers or sheriffs with the police department
 5.6 of each city or the sheriff's department of the county within the district containing the school
 5.7 receiving the services. If a local police department or a county sheriff's department does
 5.8 not wish to provide the necessary services, the district may contract for these services with
 5.9 any other police or sheriff's department located entirely or partially within the school district's
 5.10 boundaries.

5.11 ~~(e) A school district that is a member of an intermediate school district may include in~~
 5.12 ~~its authority under this section the costs associated with safe schools activities authorized~~
 5.13 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~
 5.14 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~
 5.15 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~
 5.16 ~~be transferred to the intermediate school district.~~

5.17 Subd. 8. **Report.** By January 15 of each year, the commissioner of education must deliver
 5.18 to the chairs and ranking minority members of the legislative committees with jurisdiction
 5.19 over kindergarten through grade 12 education a report detailing district-level expenditures
 5.20 of safe schools revenue for the prior fiscal year for each of the authorized purposes under
 5.21 subdivision 7.

5.22 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

5.23 Sec. 3. **APPROPRIATION.**

5.24 Subdivision 1. **Department of Education.** The sums indicated in this section are
 5.25 appropriated from the general fund to the Department of Education for the fiscal year
 5.26 designated.

5.27 Subd. 2. **Safe schools revenue.** (a) For safe schools revenue under Minnesota Statutes,
 5.28 section 126C.44, subdivision 1:

5.29 § 2021

5.30 (b) One hundred percent of the aid under Minnesota Statutes, section 126C.44, must be
 5.31 paid in the current year.