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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4648

03/28/2022 Authored by Berg, Reyer, Hollins, Agbaje, Howard and others
The bill was read for the first time and referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; providing for gender-neutral, single-user restroom and locker
1.3 room facilities; appropriating money; amending Minnesota Statutes 2020, section
1.4 126C.10, subdivisions 13, 14; proposing coding for new law in Minnesota Statutes,
1.5 chapter 121A.

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

1.7 Section 1. 121A.14 EQUAL ACCESS TO SCHOOL FACILITIES.

1.8 Each school district must provide facilities that allow any student with privacy concerns
1.9 to use gender-neutral, single-user restrooms, locker rooms, or other spaces with other privacy
1.10 features. This may include single-user shower stalls, changing stalls, and other single-user
1.11 facilities.

1.12 Sec. 2. Minnesota Statutes 2020, section 126C.10, subdivision 13, is amended to read:

1.13 Subd. 13. **Total operating capital revenue.** (a) Total operating capital revenue for a
1.14 district equals the amount determined under paragraph (b) or (c), plus \$79 times the adjusted
1.15 pupil units for the school year plus the amount determined under paragraph (d). The revenue
1.16 must be placed in a reserved account in the general fund and may only be used according
1.17 to subdivision 14.

1.18 (b) Capital revenue for a district equals \$109 times the district's maintenance cost index
1.19 times its adjusted pupil units for the school year.

1.20 (c) The revenue for a district that operates a program under section 124D.128, is increased
1.21 by an amount equal to \$31 times the number of adjusted pupil units served at the site where
1.22 the program is implemented.

2.1 (d) The projected fiscal year costs necessary to improve school facilities to include
2.2 gender-neutral, single-user restrooms and locker room privacy stalls according to a plan
2.3 approved by the school board.

2.4 Sec. 3. Minnesota Statutes 2020, section 126C.10, subdivision 14, is amended to read:

2.5 Subd. 14. **Uses of total operating capital revenue.** Total operating capital revenue may
2.6 be used only for the following purposes:

2.7 (1) to acquire land for school purposes;

2.8 (2) to acquire or construct buildings for school purposes;

2.9 (3) to rent or lease buildings, including the costs of building repair or improvement that
2.10 are part of a lease agreement;

2.11 (4) to improve and repair school sites and buildings, and equip or reequip school buildings
2.12 with permanent attached fixtures, including library media centers, gender-neutral, single-user
2.13 restroom facilities, and locker room privacy stalls;

2.14 (5) for a surplus school building that is used substantially for a public nonschool purpose;

2.15 (6) to eliminate barriers or increase access to school buildings by individuals with a
2.16 disability;

2.17 (7) to bring school buildings into compliance with the State Fire Code adopted according
2.18 to chapter 299F;

2.19 (8) to remove asbestos from school buildings, encapsulate asbestos, or make
2.20 asbestos-related repairs;

2.21 (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;

2.22 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or
2.23 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section
2.24 296A.01;

2.25 (11) for energy audits for school buildings and to modify buildings if the audit indicates
2.26 the cost of the modification can be recovered within ten years;

2.27 (12) to improve buildings that are leased according to section 123B.51, subdivision 4;

2.28 (13) to pay special assessments levied against school property but not to pay assessments
2.29 for service charges;

3.1 (14) to pay principal and interest on state loans for energy conservation according to
3.2 section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust
3.3 Fund Act according to sections 298.292 to 298.298;

3.4 (15) to purchase or lease interactive telecommunications equipment;

3.5 (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the
3.6 amounts needed to meet, when due, principal and interest payments on certain obligations
3.7 issued according to chapter 475; or (ii) pay principal and interest on debt service loans or
3.8 capital loans according to section 126C.70;

3.9 (17) to pay operating capital-related assessments of any entity formed under a cooperative
3.10 agreement between two or more districts;

3.11 (18) to purchase or lease computers and related hardware, software, and annual licensing
3.12 fees, copying machines, telecommunications equipment, and other noninstructional
3.13 equipment;

3.14 (19) to purchase or lease assistive technology or equipment for instructional programs;

3.15 (20) to purchase textbooks as defined in section 123B.41, subdivision 2;

3.16 (21) to purchase new and replacement library media resources or technology;

3.17 (22) to lease or purchase vehicles;

3.18 (23) to purchase or lease telecommunications equipment, computers, and related
3.19 equipment for integrated information management systems for:

3.20 (i) managing and reporting learner outcome information for all students under a
3.21 results-oriented graduation rule;

3.22 (ii) managing student assessment, services, and achievement information required for
3.23 students with individualized education programs; and

3.24 (iii) other classroom information management needs;

3.25 (24) to pay personnel costs directly related to the acquisition, operation, and maintenance
3.26 of telecommunications systems, computers, related equipment, and network and applications
3.27 software; and

3.28 (25) to pay the costs directly associated with closing a school facility, including moving
3.29 and storage costs.

3.30 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

4.1 Sec. 4. APPROPRIATIONS.

4.2 Subdivision 1. Department of Education. The sum indicated in this section is
4.3 appropriated from the general fund to the Department of Education for the fiscal year
4.4 designated.

4.5 Subd. 2. General education aid. For general education aid under Minnesota Statutes,
4.6 section 126C.13, subdivision 4, for the construction or remodeling of gender-neutral,
4.7 single-user restrooms, shower stalls, changing stalls, locker rooms, or other privacy features
4.8 or single-user facilities.

4.9 § 2023

4.10 EFFECTIVE DATE. This section is effective July 1, 2022.