

SENATE BILL NO. 256—SENATOR BUCK

MARCH 13, 2023

Referred to Committee on Finance

SUMMARY—Creates the Charter School Facilities Account in the State General Fund for the funding of facilities of certain charter schools. (BDR 34-643)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to education; creating the Charter School Facilities Account in the State General Fund for the acquisition, improvement and maintenance of facilities of certain charter schools; requiring the Department of Education to distribute money from the Account to certain charter schools based on the attendance of pupils and the eligibility of pupils for free and reduced-price meals; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Director of the Department of Business and Industry to issue bonds and other obligations to finance the acquisition, construction, improvement, restoration or rehabilitation of certain property, buildings and facilities for charter schools, known as the Charter School Financing Law. (NRS 388A.550-388A.695) **Section 1** of this bill creates the Charter School Facilities Account in the State General Fund for the acquisition, improvement and maintenance of charter school facilities in this State and requires the Superintendent of Public Instruction to administer the Account.

Section 1 requires the Department of Education, for Fiscal Year 2023-2024 and each fiscal year thereafter, to distribute the money in the Account to each charter school in this State, other than a charter school for distance education as follows: (1) \$600 per school year per pupil for pupils qualifying as eligible for free and reduced-price meals pursuant to the National School Lunch Program (42 U.S.C. §§ 1751 et seq.); and (2) \$300 per school year per pupil for all other pupils. The amount provided to each charter school is reduced proportionally by the number of days each pupil is expected to not attend the school in person if the pupil is participating in a program of distance education provided by the charter school. **Section 1** further provides that the money remaining in the Account does not revert



19 to the State General Fund at the end of each fiscal year and must be carried forward
20 to the next fiscal year.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 387 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. There is hereby created the Charter School Facilities*
4 *Account in the State General Fund for the acquisition,*
5 *improvement and maintenance of facilities of charter schools*
6 *operating in this State.*

7 *2. The Superintendent of Public Instruction shall administer*
8 *the Account.*

9 *3. To the extent money is available in the Account, the*
10 *Department shall, for Fiscal Year 2023-2024 and each fiscal year*
11 *thereafter, distribute the money in the Account in the following*
12 *manner:*

13 *(a) For pupils qualifying as eligible for free and reduced-price*
14 *meals pursuant to the National School Lunch Program, 42 U.S.C.*
15 *§§ 1751 et seq., an amount of \$600 per school year per pupil:*

16 *(1) Attending a charter school on a full-time, in-person*
17 *basis; and*

18 *(2) Attending a charter school providing a program of*
19 *distance education, reduced proportionally by the number of days*
20 *each pupil is expected to not attend the charter school in person.*

21 *(b) For pupils not qualifying as eligible for free and reduced-*
22 *price meals pursuant to the National School Lunch Program, 42*
23 *U.S.C. §§ 1751 et seq., an amount of \$300 per school year per*
24 *pupil:*

25 *(1) Attending a charter school on a full-time, in-person*
26 *basis; and*

27 *(2) Attending a charter school providing a program of*
28 *distance education, reduced proportionally by the number of days*
29 *each pupil is expected to not attend the charter school in person.*

30 *4. If there is insufficient money in the Account to fully fund*
31 *the distributions projected to be made pursuant to subsection 3 in*
32 *any fiscal year, the Superintendent of Public Instruction shall*
33 *proportionally reduce the amount of all such distributions.*

34 *5. Any money remaining in the Account at the end of a fiscal*
35 *year does not revert to the State General Fund, and the balance in*
36 *the Account must be carried forward to the next fiscal year.*

37 *6. As used in this section:*

38 *(a) "Charter school" does not include a charter school for*
39 *distance education as defined in NRS 388A.705.*



1 ***(b) “Program of distance education” has the meaning ascribed***
2 ***to it in NRS 388.829.***

3 **Sec. 2.** 1. This section becomes effective upon passage and
4 approval.

5 2. Section 1 of this act becomes effective:

6 (a) Upon passage and approval for the purpose of adopting any
7 regulations and performing any other preparatory administrative
8 tasks that are necessary to carry out the provisions of this act; and

9 (b) On July 1, 2023, for all other purposes.

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