

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Bill No. 2245, Page 6, Section 163.031, Line 183, by inserting immediately after  
2 all of said line the following:

3       “163.036. 1. In computing the amount of state aid a school district is entitled to receive  
4 for the minimum school term only under section 163.031, a school district may use an estimate of  
5 the weighted average daily attendance for the current year, or the weighted average daily  
6 attendance for the immediately preceding year or the weighted average daily attendance for the  
7 second preceding school year, whichever is greater. Beginning with the 2006-07 school year, the  
8 summer school attendance included in the average daily attendance as defined in subdivision (2)  
9 of section 163.011 shall include only the attendance hours of pupils that attend summer school in  
10 the current year. Beginning with the 2010-2011 school year, the summer school attendance  
11 included in average daily attendance shall include only the attendance hours of pupils based  
12 exclusively on academic areas of study for credit-bearing courses, remedial courses that are  
13 necessary for a student to be promoted to the next grade, or core subject areas of the regular  
14 instruction program for the relevant grade levels. In order for summer school attendance to be  
15 included in the average daily attendance definition, each school district shall verify to the  
16 department of elementary and secondary education that the district's summer school program  
17 conforms to this subsection. This subsection shall not be construed to disallow a school district  
18 from providing a summer school program that offers nonacademic or enrichment activities at such  
19 district's expense. Beginning with the 2004-05 school year, when a district's official calendar for  
20 the current year contributes to a more than ten percent reduction in the average daily attendance  
21 for kindergarten compared to the immediately preceding year, the payment attributable to  
22 kindergarten shall include only the current year kindergarten average daily attendance. Any error  
23 made in the apportionment of state aid because of a difference between the actual weighted  
24 average daily attendance and the estimated weighted average daily attendance shall be corrected as  
25 provided in section 163.091, except that if the amount paid to a district estimating weighted  
26 average daily attendance exceeds the amount to which the district was actually entitled by more  
27 than five percent, interest at the rate of six percent shall be charged on the excess and shall be  
28 added to the amount to be deducted from the district's apportionment the next succeeding year.

29       2. Notwithstanding the provisions of subsection 1 of this section or any other provision of

1 law, the state board of education shall make an adjustment for the immediately preceding year for  
2 any increase in the actual weighted average daily attendance above the number on which the state  
3 aid in section 163.031 was calculated. Said adjustment shall be made in the manner providing for  
4 correction of errors under subsection 1 of this section.

5 3. Any error made in the apportionment of state aid because of a difference between the  
6 actual equalized assessed valuation for the current year and the estimated equalized assessed  
7 valuation for the current year shall be corrected as provided in section 163.091, except that if the  
8 amount paid to a district estimating current equalized assessed valuation exceeds the amount to  
9 which the district was actually entitled, interest at the rate of six percent shall be charged on the  
10 excess and shall be added to the amount to be deducted from the district's apportionment the next  
11 succeeding year.

12 4. For the purposes of distribution of state school aid pursuant to section 163.031, a  
13 school district with ten percent or more of its assessed valuation that is owned by one person or  
14 corporation as commercial or personal property who is delinquent in a property tax payment may  
15 elect, after receiving notice from the county clerk on or before March fifteenth that more than ten  
16 percent of its current taxes due the preceding December thirty-first by a single property owner are  
17 delinquent, to use in the local effort calculation of the state aid formula the district's equalized  
18 assessed valuation for the preceding year or the actual assessed valuation of the year for which the  
19 taxes are delinquent less the assessed valuation of property for which the current year's property  
20 tax is delinquent. To qualify for use of the actual assessed valuation of the year for which the  
21 taxes are delinquent less the assessed valuation of property for which the current year's property  
22 tax is delinquent, a district must notify the department of elementary and secondary education on  
23 or before April first, except in the year enacted, of the current year amount of delinquent taxes, the  
24 assessed valuation of such property for which delinquent taxes are owed and the total assessed  
25 valuation of the district for the year in which the taxes were due but not paid. Any district giving  
26 such notice to the department of elementary and secondary education shall present verification of  
27 the accuracy of such notice obtained from the clerk of the county levying delinquent taxes. When  
28 any of the delinquent taxes identified by such notice are paid during a four-year period following  
29 the due date, the county clerk shall give notice to the district and the department of elementary and  
30 secondary education, and state aid paid to the district shall be reduced by an amount equal to the  
31 delinquent taxes received plus interest. The reduction in state aid shall occur over a period not to  
32 exceed five years and the interest rate on excess state aid not refunded shall be six percent  
33 annually.

34 5. If a district receives state aid based on equalized assessed valuation as determined by  
35 subsection 4 of this section and if prior to such notice the district was paid state aid pursuant to  
36 section 163.031, the amount of state aid paid during the year of such notice and the first year

1 following shall equal the sum of state aid paid pursuant to section 163.031 plus the difference  
2 between the state aid amount being paid after such notice minus the amount of state aid the  
3 district would have received pursuant to section 163.031 before such notice. To be eligible to  
4 receive state aid based on this provision the district must levy during the first year following such  
5 notice at least the maximum levy permitted school districts by article X, section 11(b) of the  
6 Missouri Constitution and have a voluntary rollback of its tax rate which is no greater than one  
7 cent per one hundred dollars assessed valuation.

8 [163.037. In any school year after the 2009-10 school year, if there is a twenty-five  
9 percent decrease in the statewide percentage of average daily attendance attributable to  
10 summer school compared to the percentage of average daily attendance attributable to  
11 summer school in the 2005-06 school year, then for the subsequent school year, weighted  
12 average daily attendance, as such term is defined in section 163.011, shall include the  
13 addition of the product of twenty-five hundredth times the average daily attendance for  
14 summer school.]” ; and

15  
16 Further amend said bill, Page 6, Section B, Line 5, by inserting after all of said line the following:

17 “Section C. The emergency clause contained in Section B of this act shall not apply to  
18 section 163.037 of Section A of this act.”; and

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20 Further amend said bill by amending the title, enacting clause, and intersectional references  
21 accordingly.  
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