

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2161**

**BY: Senator(s) Tollison**

1           **AMEND by striking lines 323 through 358 and substituting the**  
2 **following in lieu thereof:**

3           (2) For students attending a charter school located in the  
4 school district in which the student resides, the school district  
5 in which a charter school is located shall pay directly to the  
6 charter school an amount for each student enrolled in the charter  
7 school equal to the ad valorem tax receipts and in-lieu payments  
8 received per pupil for the support of the local school district in  
9 which the student resides. The pro rata ad valorem receipts and  
10 in-lieu receipts to be transferred to the charter school shall  
11 include all levies for the support of the local school district  
12 under Sections 37-57-1 (local contribution to the adequate  
13 education program) and 37-57-105 (school district operational  
14 levy) and may not include any taxes levied for the retirement of



15 the local school district's bonded indebtedness or short-term  
16 notes or any taxes levied for the support of vocational-technical  
17 education programs. The amount of funds payable to the charter  
18 school by the school district must be based on the previous year's  
19 enrollment data and ad valorem receipts and in-lieu receipts of  
20 the local school district in which the student resides. The pro  
21 rata amount must be calculated by dividing the local school  
22 district's months one (1) through nine (9) average daily  
23 membership into the total amount of ad valorem receipts and  
24 in-lieu receipts, as reported to the State Department of Education  
25 by the local school district. The local school district shall pay  
26 an amount equal to this pro rata amount multiplied by the number  
27 of students enrolled in the charter school, based on the charter  
28 school's end of first month enrollment for the current school  
29 year. The amount must be paid by the school district to the  
30 charter school before January 16 of the current fiscal year. If  
31 the local school district does not pay the required amount to the  
32 charter school before January 16, the State Department of  
33 Education shall reduce the local school district's January  
34 transfer of Mississippi Adequate Education Program funds by the  
35 amount owed to the charter school and shall redirect that amount  
36 to the charter school. Any such payments made under this  
37 subsection (2) by the State Department of Education to a charter  
38 school must be made at the same time and in the same manner as



39 adequate education program payments are made to school districts  
40 under Sections 37-151-101 and 37-151-103.

41       (3) For students attending a charter school located in a  
42 school district in which the student does not reside, the State  
43 Department of Education shall pay to the charter school in which  
44 the student is enrolled an amount as follows: the pro rata ad  
45 valorem receipts and in-lieu payments per pupil for the support of  
46 the local school district in which the student resides under  
47 Sections 37-57-1 (local contribution to the adequate education  
48 program) and 37-57-105 (school district operational levy),  
49 however, not including any taxes levied for the retirement of the  
50 local school district's bonded indebtedness or short-term notes or  
51 any taxes levied for the support of vocational-technical education  
52 programs. The amount of funds payable to the charter school by  
53 the school district must be based on the previous year's  
54 enrollment data and ad valorem receipts and in-lieu receipts of  
55 the local school district in which the student resides. The pro  
56 rata amount must be calculated by dividing the local school  
57 district's months one (1) through nine (9) average daily  
58 membership into the total amount of ad valorem receipts and  
59 in-lieu receipts, as reported to the State Department of Education  
60 by the transferor local school district. The payable amount shall  
61 be equal to this pro rata amount multiplied by the number of  
62 students enrolled in the charter school, based on the charter  
63 school's end of first month enrollment for the current school



64 year. The State Department of Education shall reduce the school  
65 district's January transfer of Mississippi Adequate Education  
66 Program funds by the amount owed to the charter school and shall  
67 redirect that amount to the charter school. Any such payments  
68 made under this subsection (3) by the State Department of  
69 Education to a charter school must be made at the same time and in  
70 the same manner as adequate education program payments are made to  
71 school districts under Sections 37-151-101 and 37-151-103.

72 **FURTHER, AMEND by renumbering subsequent subsections**  
73 **accordingly.**

