

By: Senator(s) DeBar

To: Education;  
Appropriations

SENATE BILL NO. 2367

1 AN ACT TO AMEND SECTION 37-47-24, MISSISSIPPI CODE OF 1972,  
2 TO CREATE THE PUBLIC SCHOOL FACILITIES GRANT PROGRAM TO REPLACE  
3 THE EDUCATION FACILITIES REVOLVING LOAN PROGRAM; TO CREATE A  
4 SPECIAL FUND IN THE STATE TREASURY DESIGNATED AS THE PUBLIC SCHOOL  
5 FACILITIES GRANT FUND; TO INCLUDE AN ADDITIONAL PURPOSE FOR WHICH  
6 FUNDS MAY BE USED; TO SET THE DATE BY WHICH APPLICATIONS MUST BE  
7 SUBMITTED TO THE DEPARTMENT OF EDUCATION; TO ESTABLISH THE SCORING  
8 GUIDE THE DEPARTMENT SHALL USE FOR APPLICATIONS FOR FUNDS FROM THE  
9 PROGRAM; TO PROVIDE THAT THE TOTAL GRANT AN APPLICANT MAY RECEIVE  
10 IN A FISCAL YEAR SHALL BE LIMITED TO TWO MILLION DOLLARS; TO MAKE  
11 TECHNICAL CHANGES TO CONFORM TO THE PURPOSE OF THE ACT; AND FOR  
12 RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** Section 37-47-24, Mississippi Code of 1972, is  
15 amended as follows:

16 37-47-24. (1) There is established the \* \* \* Public School  
17 Facilities Grant Program to be administered by the State  
18 Department of Education for the purpose of improving \* \* \* public  
19 school facilities in the State of Mississippi by assisting public  
20 schools in procuring funds for making certain capital  
21 improvements.

22 (2) There is created a special fund in the State Treasury  
23 designated as the " \* \* \* Public School Facilities Grant Fund,"



24 which shall consist of monies transferred from the State Public  
25 School Building Fund and other monies that the Legislature may  
26 make available. The \* \* \* grant fund must be maintained in  
27 perpetuity for the purposes established in this section.  
28 Unexpended amounts remaining in the fund at the end of a fiscal  
29 year may not lapse into the State General Fund. \* \* \* Monies in  
30 the \* \* \* Public School Facilities \* \* \* Grant Fund may not be  
31 used or expended for any purpose except as authorized under this  
32 section. Any funds awarded as loans prior to July 1, 2023, shall  
33 be immediately converted to grants.

34 (3) \* \* \* The State Department of Education shall accept  
35 requests for \* \* \* grants under this subsection for the following  
36 purposes:

37 (a) Repairs and renovations to existing school  
38 buildings and related facilities, including existing buildings  
39 purchased to serve as a school facility, used in the operation of  
40 the schools of a public school district;

41 (b) Construction of new facilities or repairs and  
42 renovations to existing school facilities for the purpose of  
43 establishing, improving or expanding prekindergarten programs in a  
44 public school district; \* \* \*

45 (c) Construction of new career and technical education  
46 facilities or repairs and renovations to existing school  
47 facilities for the purpose of upgrading or expanding a school  
48 district's career and technical education program; and



49           (d) Construction of new facilities or repairs and  
50 renovations to existing school facilities for the purpose of  
51 restructuring schools or engaging in intra-district consolidation  
52 resulting in efficiencies and cost-savings.

53           (4) An educational entity that receives a \* \* \* grant from  
54 the \* \* \* Public School Facilities \* \* \* Grant Fund shall not use  
55 the funds for athletic facilities.

56           \* \* \*

57           (\* \* \* 5) Applications from school districts must be  
58 submitted by November 1 of each year to be considered for a grant  
59 within that fiscal year. The State Department of Education  
60 shall \* \* \* make determinations on applications for \* \* \* grants  
61 by February 1 of each year, beginning February 1, 2024, and shall  
62 disburse funds \* \* \* on approved \* \* \* grants as soon as is  
63 practicable thereafter.

64           (6) Before \* \* \* August 1, 2023, the department shall  
65 establish rules and regulations for the implementation and  
66 administration of the \* \* \* grant program, including a scoring  
67 guide for applications.

68           (7) Grant payments for approved applications may be paid out  
69 to the school district by the department within thirty (30) days  
70 after the department's receipt of an invoice or receipt provided  
71 by the school district related to the approved project. Grant  
72 payments may be made in installments as the project is completed.



73       (8) The rules and regulations must include, at a minimum,  
74 provisions addressing the following:

75           (a) An application process by which public school  
76 districts may request a \* \* \* grant from the \* \* \* Public School  
77 Facilities \* \* \* Grant Fund \* \* \*. The scoring guide shall award  
78 additional weight to applications where the school district:

79                   (i) Demonstrates the grant will result in  
80 restructuring or intra-district consolidation which will result in  
81 meaningful cost savings or other efficiencies;

82                   (ii) Demonstrates the grant will result in a  
83 significant positive impact on student achievement;

84                   (iii) Presents a viable plan for construction  
85 or repair which is reasonable, necessary and financially sound.  
86 Grant funds shall not be awarded where the school district has  
87 presented no detailed or fiscally sound plan related to the  
88 intended project; or

89                   (iv) Demonstrates the school district has  
90 secured significant matching funds from other sources, public or  
91 private, to facilitate the project;

92           (b) The factors to be considered by the State  
93 Department of Education in determining whether an educational  
94 entity will be awarded the full or a partial amount of a \* \* \*  
95 grant requested. The maximum total amount of outstanding \* \* \*  
96 grant an applicant may receive in a fiscal year shall be limited  
97 to \* \* \* Two Million Dollars (\$2,000,000.00). \* \* \* A \* \* \* grant



98 may not exceed one hundred percent (100%) of the cost of the  
99 project for which the \* \* \* grant is requested;

100 \* \* \*

101 ( \* \* \*c) \* \* \* The auditing process the department  
102 will use to ensure grant funds are being spent in accordance with  
103 law;

104 ( \* \* \*d) Applicants demonstrating emergency or other  
105 critical infrastructure needs, as defined by the State Department  
106 of Education, shall receive first priority in receiving \* \* \*  
107 grants from the fund; and

108 ( \* \* \*e) All other matters that the State Department  
109 of Education determines are necessary to establish and maintain  
110 the \* \* \* Public School Facilities \* \* \* Grant Fund Program as an  
111 accessible and perpetual source of funding for making facility  
112 improvements at \* \* \* public prekindergarten through Grade 12  
113 public schools in the state.

114 \* \* \*

115 **SECTION 2.** This act shall take effect and be in force from  
116 and after July 1, 2023.

