

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2606**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

11        **SECTION 1.** Any public school district that received a loan  
12        from the Educational Facilities Revolving Loan Fund, which was  
13        created under former Section 37-47-24, that has not been repaid in  
14        full before the effective date of this act shall make repayments  
15        of the principal of and, when applicable, interest on the loan to  
16        the Department of Finance and Administration in accordance with  
17        the terms of the loan agreement made between the school district  
18        and the Department of Education until the loan is fully repaid.  
19        The Department of Finance and Administration shall deposit all  
20        such loan repayments received into the Education Enhancement Fund.



21 The Department of Finance and Administration may take any of the  
22 actions that the State Department of Education could take under  
23 former Section 37-47-24 against a school district that is in  
24 arrears on loan repayments, in order to enforce the repayment of  
25 the loan.

26 **SECTION 2.** Section 37-61-33, Mississippi Code of 1972, is  
27 amended as follows:

28 37-61-33. (1) There is created within the State Treasury a  
29 special fund to be designated the "Education Enhancement Fund"  
30 into which shall be deposited all the revenues collected pursuant  
31 to Sections 27-65-75(5), (7) and (8) \* \* \*, 27-67-31(a) and (b)  
32 and Section 1 of this act.

33 (2) Of the amount deposited into the Education Enhancement  
34 Fund, Sixteen Million Dollars (\$16,000,000.00) shall be  
35 appropriated each fiscal year to the State Department of Education  
36 to be distributed to all school districts. Such money shall be  
37 distributed to all school districts in the proportion that the net  
38 enrollment of each school district bears to the net enrollment of  
39 all school districts within the state for the following purposes:

40 (a) Purchasing, erecting, repairing, equipping,  
41 remodeling and enlarging school buildings and related facilities,  
42 including gymnasiums, auditoriums, lunchrooms, vocational training  
43 buildings, libraries, teachers' homes, school barns,  
44 transportation vehicles (which shall include new and used



45 transportation vehicles) and garages for transportation vehicles,  
46 and purchasing land therefor;

47 (b) Establishing and equipping school athletic fields  
48 and necessary facilities connected therewith, and purchasing land  
49 therefor;

50 (c) Providing necessary water, light, heating,  
51 air-conditioning and sewerage facilities for school buildings, and  
52 purchasing land therefor;

53 (d) As a pledge to pay all or a portion of the debt  
54 service on debt issued by the school district under Sections  
55 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351  
56 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302  
57 and 37-41-81, or debt issued by boards of supervisors for  
58 agricultural high schools pursuant to Section 37-27-65, if such  
59 pledge is accomplished pursuant to a written contract or  
60 resolution approved and spread upon the minutes of an official  
61 meeting of the district's school board or board of supervisors.  
62 The annual grant to such district in any subsequent year during  
63 the term of the resolution or contract shall not be reduced below  
64 an amount equal to the district's grant amount for the year in  
65 which the contract or resolution was adopted. The intent of this  
66 provision is to allow school districts to irrevocably pledge a  
67 certain, constant stream of revenue as security for long-term  
68 obligations issued under the code sections enumerated in this  
69 paragraph or as otherwise allowed by law. It is the intent of the



Legislature that the provisions of this paragraph shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards. Debt of a district secured by a pledge of sales tax revenue pursuant to this paragraph shall not be subject to any debt limitation contained in the foregoing enumerated code sections; and

(e) Any other purpose for which the total funding formula funds as determined by Sections 37-151-200 through 37-151-215 are not sufficient.

(3) The remainder of the money deposited into the Education Enhancement Fund shall be appropriated as follows:

(a) To the State Department of Education as follows:

(i) Sixteen and sixty-one one-hundredths percent (16.61%) to the cost of the total funding formula determined under Sections 37-151-200 through 37-151-215; of the funds generated by the percentage set forth in this section for the support of the adequate education program, one and one hundred seventy-eight one-thousandths percent (1.178%) of the funds shall be appropriated to be used by the State Department of Education for the purchase of textbooks to be loaned under Sections 37-43-1 through 37-43-59 to approved nonpublic schools, as described in Section 37-43-1. The funds to be distributed to each nonpublic school shall be in the proportion that the average daily



attendance of each nonpublic school bears to the total average daily attendance of all nonpublic schools;

(ii) Seven and ninety-seven one-hundredths percent (7.97%) to assist the funding of transportation operations and maintenance pursuant to Section 37-19-23; and

(iii) Nine and sixty-one one-hundredths percent (9.61%) for classroom supplies, instructional materials and equipment, including computers and computer software, to be distributed to all eligible teachers within the state through the use of procurement cards or a digital solution capable of tracking, paying and reporting purchases. Classroom supply funds shall not be expended for administrative purposes. On a date to be determined by the State Department of Education, but not later than July 1 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the current year. For purposes of this subparagraph, "teacher" means any employee of the school board of a school district, or the Mississippi School for the Arts, the Mississippi School for Math and Science, the Mississippi School for the Blind, the Mississippi School for the Deaf or public charter school, who is required by law to obtain a teacher's license from the State Department of Education and who is assigned to an instructional area of work as defined by the department, and shall include any full- or part-time gifted or special education teacher. It is the intent of the Legislature



that all classroom teachers shall utilize these funds in a manner that addresses individual classroom needs and supports the overall goals of the school regarding supplies, instructional materials, equipment, computers or computer software under the provisions of this subparagraph, including the type, quantity and quality of such supplies, materials and equipment. Classroom supply funds allocated under this subparagraph shall supplement, not replace, other local and state funds available for the same purposes. The State Board of Education shall develop and promulgate rules and regulations for the administration of this subparagraph consistent with the above criteria, with particular emphasis on allowing the individual teachers to expend funds as they deem appropriate. The local school board shall require each school to issue credentials for a digital solution selected by or procurement cards provided by the Department of Finance and Administration under the provisions of Section 31-7-9(1)(c) for the use of teachers and necessary support personnel in making instructional supply fund expenditures under this section, consistent with the regulations of the Mississippi Department of Finance and Administration pursuant to Section 31-7-9. Such credentials or procurement cards shall be provided by the State Department of Education to local school districts on a date determined by the State Department of Education, but not later than August 1 of each year. Local school districts shall issue such credentials or procurement cards to classroom teachers at the beginning of the school year, but no



144 later than August 1 of each year, and shall be issued in equal  
145 amounts per teacher determined by the total number of qualifying  
146 personnel and the current state appropriation for classroom  
147 supplies with the Education Enhancement Fund. After initial cards  
148 are issued under the timeline prescribed by this section, the  
149 State Department of Education may issue cards to districts for any  
150 classroom teacher hired after July 1 under a timeline prescribed  
151 by the State Department of Education. Such credentials or cards  
152 will expire on a predetermined date at the end of each school  
153 year, but not before April 1 of each year;

154 (b) Twenty-two and nine one-hundredths percent (22.09%)  
155 to the Board of Trustees of State Institutions of Higher Learning  
156 for the purpose of supporting institutions of higher learning; and

157 (c) Fourteen and forty-one one-hundredths percent  
158 (14.41%) to the Mississippi Community College Board for the  
159 purpose of providing support to community and junior colleges.

160 (4) The amount remaining in the Education Enhancement Fund  
161 after funds are distributed as provided in subsections (2) and (3)  
162 of this section shall be appropriated for other educational needs.

163 (5) None of the funds appropriated pursuant to subsection  
164 (3)(a) of this section shall be used to reduce the state's General  
165 Fund appropriation for the categories listed in an amount below  
166 the following amounts:



167 (a) For subsection (3)(a)(ii) of this section,  
168 Thirty-six Million Seven Hundred Thousand Dollars  
169 (\$36,700,000.00);

170 (b) For the aggregate of minimum program allotments in  
171 the 1997 fiscal year, formerly provided for in Chapter 19, Title  
172 37, Mississippi Code of 1972, as amended, excluding those funds  
173 for transportation as provided for in paragraph (a) of this  
174 subsection.

175 (6) Any funds appropriated from the Education Enhancement  
176 Fund that are unexpended at the end of a fiscal year shall lapse  
177 into the Education Enhancement Fund.

178 **SECTION 3.** This act shall take effect and be in force from  
179 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS THAT RECEIVED  
2 A LOAN FROM THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND THAT  
3 HAS NOT BEEN REPAID IN FULL BEFORE THE EFFECTIVE DATE OF THIS ACT  
4 SHALL MAKE REPAYMENTS OF THE LOAN TO THE DEPARTMENT OF FINANCE AND  
5 ADMINISTRATION UNTIL THE LOAN IS FULLY REPAID; TO PROVIDE THAT THE  
6 DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DEPOSIT ALL SUCH  
7 LOAN REPAYMENTS RECEIVED INTO THE EDUCATION ENHANCEMENT FUND; TO  
8 AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO CONFORM TO  
9 THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

