

1 HB140
2 126986-4
3 By Representative Nordgren
4 RFD: County and Municipal Government
5 First Read: 03-MAR-11

1 Education to be financially capable of sustaining a city
2 school system. The governing body of the city shall submit
3 detailed financial information, as determined by the
4 department, to the department and the department shall review
5 and verify that information. Based upon, but not limited to,
6 the financial information provided, the department shall
7 determine each of the following:

8 "(1) Whether students included within the proposed
9 city school system will receive, at a minimum, the same amount
10 of local per pupil expenditures as are expended per pupil in
11 the applicable county school system.

12 "(2) Whether the per pupil expenditures of the
13 applicable county school system will be adversely affected by
14 the creation of a city school system.

15 "(c) If the department determines a city is
16 financially capable to sustain a school system pursuant to
17 subsection (b), the city may establish a city school system
18 contingent upon preclearance submission by the city board of
19 education and approval of the formal separation agreement
20 executed between the city board of education and the county
21 board of education by the Voting Section of the Civil Rights
22 Division of the United States Department of Justice.

23 "(d) Subsections (b) and (c) shall not apply to
24 those municipalities that prior to the effective date of this
25 amendatory act have met the inhabitant criteria for
26 establishing a city board of education as previously set forth
27 in this section and have also submitted, and the State

1 Superintendent of Education has received, a resolution adopted
2 by the governing body of the municipality stating intent to
3 establish a city board of education."

4 "(e) The State Department of Education shall give
5 written response to the determination as provided in paragraph
6 (b) in this section."

7 Section 2. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on County and Mu-
nicipal Government..... 03-MAR-11

Read for the second time and placed
on the calendar with 1 substitute
and 2 amendments..... 06-APR-11

Read for the third time and passed
as amended..... 24-MAY-11

Yeas 58, Nays 37, Abstains 0

Greg Pappas
Clerk