

HB0072/513120/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 72, AS AMENDED

(First Reading File Bill - Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 18, after "Probation;" insert "requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years;".

On page 6, in line 8, strike "5-202(a)(13)" and substitute "4-122(b)(2), 5-202(a).".

AMENDMENT NO. 2

On page 16, after line 13, insert:

"4-122.

(b) (2) The service providing local education agency shall include a child enrolled as the result of an out-of-county living arrangement in their full-time equivalent enrollment as provided by [§ 5-202(a)(6)] § 5-202(A) of this article."

after line 14, insert:

"(a) (1) In this section the following words have the meanings indicated.

(2) "ABSENTEEISM RATE" MEANS THE DIFFERENCE BETWEEN 1.00 AND THE AVERAGE DAILY ATTENDANCE RATE.

[(2)] (3) "Annual per pupil foundation amount" means:

(Over)

(i) For fiscal years 2004 through 2008, the sum, rounded to the nearest dollar, of:

1. The fiscal year 2002 per pupil foundation amount of \$4,124; and

2. The product of the difference between the target per pupil foundation amount and \$4,124 and:

A. 0.40 in fiscal year 2004;

B. 0.52 in fiscal year 2005;

C. 0.71 in fiscal year 2006; and

D. 0.83 in fiscal year 2007; and

(ii) For fiscal year 2008 and each fiscal year thereafter, the target per pupil foundation amount.

~~[(3)]~~ (4) “Assessed valuation of real property” means the most recent estimate made by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly, of the assessed value of real property for State purposes as of July 1 of the first completed fiscal year before the school year for which the calculation of State aid is made under this section.

~~[(4)]~~ (5) “Assessed value of personal property” means the most recent estimate by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly of the assessed value for county purposes of personal property as of July 1 of the first completed fiscal year before the school year for which the calculation is made under this section.

(6) “AVERAGE DAILY ATTENDANCE RATE” MEANS THE SUM OF STUDENTS ATTENDING SCHOOL EACH DAY DURING THE SECOND PRIOR SCHOOL YEAR DIVIDED BY THE SUM OF STUDENT ENROLLMENT FOR EACH DAY DURING THE SECOND PRIOR SCHOOL YEAR.

[(5)] (7) “Foundation program” means the product of the annual per pupil foundation amount and a county’s full-time equivalent enrollment.

[(6)] (8) “Full-time equivalent enrollment” means the [sum of] DIFFERENCE BETWEEN:

(i) THE SUM OF:

1. The number of students enrolled in [grades 1 through] KINDERGARTEN THROUGH GRADE 12 or their equivalent in regular day school programs on September 30 of the previous school year;

[(ii) Except as provided in item (iii) of this paragraph, the product of the number of students enrolled in kindergarten programs on September 30 of the prior school year and:

1. 0.60 in fiscal year 2004;

2. 0.70 in fiscal year 2005;

3. 0.80 in fiscal year 2006;

4. 0.90 in fiscal year 2007; and

5. 1.00 in fiscal year 2008 and each fiscal year thereafter;

(Over)

(iii) In Garrett County, the number of students enrolled in kindergarten programs on September 30 of the prior school year;] and

[(iv)] 2. The number of full-time equivalent students, as determined by a regulation of the Department, enrolled in evening high school programs during the previous school year; AND

(II) THE PRODUCT OF MULTIPLYING:

1. THE NUMBER DERIVED IN ITEM (I) OF THIS PARAGRAPH; AND

2. THE ABSENTEEISM RATE.

[(7)] (9) “Local contribution rate” means the figure that is calculated as follows:

(i) Multiply the statewide full-time equivalent enrollment by \$624, and multiply this product by:

1. 0.46 in fiscal year 2004;

2. 0.47 in fiscal year 2005;

3. 0.48 in fiscal year 2006;

4. 0.49 in fiscal year 2007; and

5. 0.50 in fiscal year 2008 and each fiscal year thereafter;

(ii) Multiply the statewide full-time equivalent enrollment by the amount that the annual per pupil foundation amount exceeds \$624, and multiply this product by 0.50;

(iii) Add the two products calculated in items (i) and (ii) of this paragraph, and divide the resulting sum by the sum of the wealth of all of the counties in this State; and

(iv) Round the result obtained in item (iii) of this paragraph to seven decimal places and express as a percent with five decimal places.

[(8)] (10) “Local share of the foundation program” means the product of the local contribution rate and a county’s wealth.

[(9)] (11) “Net taxable income” means the amount certified by the State Comptroller for the second completed calendar year before the school year for which the calculation of State aid under this section is made, based on tax returns filed on or before September 1 after this calendar year.

[(10)] (12) “Personal property” means all property classified as personal property under § 8–101(c) of the Tax – Property Article.

[(11)] (13) “Real property” means all property classified as real property under § 8–101(b) of the Tax – Property Article.

[(12)] (14) “State share of the foundation program” means the greater of:

(i) The difference between the foundation program and the local share of the foundation program; and

(ii) The result obtained by multiplying the annual per pupil foundation amount by the county's full-time equivalent enrollment, and multiplying this product by:

1. 0.25 in fiscal year 2004;
2. 0.24 in fiscal year 2005;
3. 0.22 in fiscal year 2006;
4. 0.19 in fiscal year 2007; and
5. 0.15 in fiscal year 2008 and each fiscal year thereafter.”;

in line 15, strike “(a)”; and in the same line, strike “(13)” and substitute “**(15)**”.

On page 17, after line 17, insert:

“(14) **(16)** “Wealth” means the sum of:

- (i) Net taxable income;
- (ii) 100 percent of the assessed value of the operating real property of public utilities;
- (iii) 40 percent of the assessed valuation of all other real property; and
- (iv) 50 percent of assessed value of personal property.”.