

SENATE BILL 1146

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8lr3752

By: **Senator Serafini**

Introduced and read first time: February 16, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – School Construction – Approval, Design, and Funding**

3 FOR the purpose of requiring the Board of Public Works to adopt regulations that direct
4 the Interagency Committee on School Construction to establish timelines for certain
5 public school construction approvals and to establish standard design models for
6 certain types of school construction; requiring the Board of Public Works to adopt
7 regulations that establish per-pupil State school construction funding amounts
8 under certain conditions; and generally relating to the approval, design, and funding
9 of public school construction.

10 BY repealing and reenacting, without amendments,
11 Article – Education
12 Section 5–301(a)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Education
17 Section 5–301(d)(3)
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2017 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Education**

23 5–301.

24 (a) In this subtitle, “Interagency Committee” means the Interagency Committee
25 on School Construction established under § 5–302 of this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (3) The regulations adopted by the Board of Public Works shall contain
2 provisions:

3 (i) Establishing a State and local cost–share formula for each county
4 that identifies the factors used in establishing the formulas;

5 (ii) Requiring local education agencies to adopt educational facilities
6 master plans and annual capital improvement programs;

7 (iii) Providing a method for establishing a maximum State
8 construction allocation for each project approved for State funding;

9 (iv) Referencing the policies stated in § 5–7B–07 of the State Finance
10 and Procurement Article;

11 (v) Requiring local school systems to adopt procedures consistent
12 with the minority business enterprise policies of the State as required under the Code of
13 Maryland Regulations;

14 (vi) Establishing a process for the appeal of decisions by the
15 Interagency Committee to the Board of Public Works;

16 (vii) Requiring local education agencies to adopt, implement, and
17 periodically update comprehensive maintenance plans; [and]

18 (viii) Authorizing the Board of Public Works to withhold State public
19 school construction funds from a local education agency that fails to comply with the
20 requirements of item (vii) of this paragraph;

21 **(IX) DIRECTING THE INTERAGENCY COMMITTEE, SUBJECT TO**
22 **BOARD OF PUBLIC WORKS APPROVAL, TO ESTABLISH TIMELINES FOR DECISIONS**
23 **BY STATE AGENCIES INVOLVED IN THE PUBLIC SCHOOL CONSTRUCTION APPROVAL**
24 **PROCESS;**

25 **(X) DIRECTING THE INTERAGENCY COMMITTEE, SUBJECT TO**
26 **BOARD OF PUBLIC WORKS APPROVAL, TO DEVELOP STANDARD DESIGN MODELS**
27 **FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOLS THAT:**

28 **1. UTILIZE STANDARDIZED EDUCATIONAL**
29 **SPECIFICATIONS THAT INCORPORATE EXISTING STATE–RATED CAPACITY**
30 **GUIDELINES; AND**

31 **2. ALLOW COUNTY BOARDS TO DESIGNATE UP TO 20%**
32 **OF THE OVERALL SQUARE FOOTAGE FOR ANY SPECIFIC EDUCATIONAL**

1 PROGRAMMING NEEDS; AND

2 (XI) ESTABLISHING STANDARD PER-PUPIL SCHOOL
3 CONSTRUCTION STATE FUNDING AMOUNTS FOR STANDARD DESIGN MODELS OF
4 ELEMENTARY, MIDDLE, AND HIGH SCHOOLS BASED ON CRITERIA THAT INCLUDE:

5 1. THE FULFILLMENT OF A STANDARDIZED SET OF
6 NEEDS FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOLS, CONSIDERING THE
7 EXISTING STATE-RATED CAPACITY GUIDELINES;

8 2. THE CURRENT STATEWIDE PER-PUPIL AVERAGE
9 COST FOR SCHOOL CONSTRUCTION AS ESTABLISHED BY THE INTERAGENCY
10 COMMITTEE FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOLS; AND

11 3. AN INDEPENDENT INDUSTRY INDEX ESTABLISHED IN
12 CONSULTATION WITH INDUSTRY EXPERTS.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2018.