

# HOUSE BILL No. 5368

February 7, 2012, Introduced by Rep. Moss and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending sections 11 and 17b (MCL 388.1611 and 388.1617b),  
section 11 as amended by 2011 PA 299 and section 17b as amended by  
2007 PA 137.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 11. (1) ~~Subject to subsection (3), for the fiscal year~~  
2 ~~ending September 30, 2011, there is appropriated for the public~~  
3 ~~schools of this state and certain other state purposes relating to~~  
4 ~~education the sum of \$10,784,760,500.00 from the state school aid~~  
5 ~~fund and the sum of \$18,642,400.00 from the general fund. For the~~  
6 ~~fiscal year ending September 30, 2011, there is also appropriated~~  
7 ~~the remaining balance of the federal funding awarded to this state~~

~~under title XIV of the American recovery and reinvestment act of 2009, Public Law 111-5, estimated at \$184,256,600.00, to be used solely for the purpose of funding the primary funding formula calculated under section 20, in accordance with federal law.~~

Subject to subsection (3), for the fiscal year ending September 30, 2012, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of ~~\$10,887,098,700.00~~ \$\_\_\_\_\_ from the state school aid fund and the sum of ~~\$118,642,400.00~~ \$\_\_\_\_\_ from the general fund. In addition, all other available federal funds, except those otherwise appropriated under section 11p, are appropriated for the fiscal year ~~ending September 30, 2011 and for the fiscal year ending~~ September 30, 2012.

(2) The appropriations under this section shall be allocated as provided in this article. Money appropriated under this section from the general fund shall be expended to fund the purposes of this article before the expenditure of money appropriated under this section from the state school aid fund.

(3) Any general fund allocations under this article that are not expended by the end of the state fiscal year are transferred to the school aid stabilization fund created under section 11a.

Sec. 17b. (1) Not later than October 20, November 20, December 20, January 20, February 20, March 20, April 20, May 20, June 20, July 20, and August 20, the department shall prepare electronic files of the amount to be distributed under this act in the installment to the districts and intermediate districts and deliver the electronic files to the state treasurer, and the state

1 treasurer shall pay the installments on each of those dates or, if  
2 the date is not a business day, on the next business day following  
3 that date. Except as otherwise provided in this act, the portion of  
4 the district's or intermediate district's state fiscal year  
5 entitlement to be included in each installment shall be 1/11. A  
6 district or intermediate district shall accrue the payments  
7 received in July and August to the school fiscal year ending the  
8 immediately preceding June 30.

9 (2) The state treasurer shall make payment under this section  
10 by drawing a warrant in favor of the treasurer of each district or  
11 intermediate district for the amount payable to the district or  
12 intermediate district according to the electronic files and  
13 delivering the warrant to the treasurer of each district or  
14 intermediate district, or if the state treasurer receives a written  
15 request by the treasurer of the district or intermediate district  
16 specifying an account, by electronic funds transfer to that account  
17 of the amount payable to the district or intermediate district  
18 according to the electronic files. The department may make  
19 adjustments in payments made under this section through additional  
20 payments when changes in law or errors in computation cause the  
21 regularly scheduled payment to be less than the amount to which the  
22 district or intermediate district is entitled pursuant to this act.

23 (3) Except as otherwise provided in this act, grant payments  
24 to districts and intermediate districts under this act shall be  
25 paid according to the installment **PAYMENT** schedule under subsection  
26 (1).

27 (4) Upon the written request of a district or intermediate

1 district and the submission of proof satisfactory to the department  
2 of a need of a temporary and nonrecurring nature, the  
3 superintendent, with the written concurrence of the state treasurer  
4 and the state budget director, may authorize an advance release of  
5 funds due a district or intermediate district under this act. An  
6 advance authorized under this subsection shall not cause funds to  
7 be paid to a district or intermediate district more than 30 days  
8 earlier than the established payment date for those funds.