

**HOUSE . . . . . No. 424**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Peter V. Kocot*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act supporting municipal fiscal stability through a special education stabilization fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>

**HOUSE . . . . . No. 424**

By Mr. Kocot of Northampton, a petition (accompanied by bill, House, No. 424) of Peter V. Kocot and others for legislation to authorize school districts to establish a reserve fund for certain special education and transportation costs. Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act supporting municipal fiscal stability through a special education stabilization fund.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 40 of the General Laws, as appearing in the 2008 Official Edition,  
2 is hereby amended by adding after section 13C the following section:   Section 13D. Any  
3 school district which accepts the provisions of this section by majority vote of the school  
4 committee and acceptance by a majority vote of the legislative body or, in the case of a regional  
5 school district acceptance by majority vote of the legislative bodies in a majority of the member  
6 communities of the district may establish, and appropriate or transfer money to a reserve fund to  
7 be utilized in the upcoming fiscal year or years, to pay, without further appropriation, for  
8 unanticipated and/or unbudgeted costs of special education out of school district tuition and/or  
9 transportation. The balance in such separate stabilization fund shall not exceed 2% of the annual  
10 net school spending of the school district.   The district treasurer may invest the monies in the  
11 manner authorized by Section 54 of Chapter 44, and any interest earned thereon shall be credited  
12 to and become part of the fund. In the case of Regional School Districts, funds may be added to

- 13 the special education stabilization fund only be appropriation in the annual budget voted at
- 14 annual town meetings of member towns.