

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 1856**

(SENATE AUTHORS: CLAUSEN and Klein)

DATE  
02/28/2019

D-PG

Introduction and first reading  
Referred to E-12 Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education; authorizing school districts to bond for certain security  
1.3 equipment; modifying the safe schools revenue program; appropriating money;  
1.4 amending Minnesota Statutes 2018, sections 123B.61; 126C.44.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 123B.61, is amended to read:

1.7 **123B.61 PURCHASE OF CERTAIN EQUIPMENT.**

1.8 The board of a district may issue general obligation certificates of indebtedness or capital  
1.9 notes subject to the district debt limits to: (a) purchase vehicles, computers, telephone  
1.10 systems, cable equipment, photocopy and office equipment, technological equipment for  
1.11 instruction, public announcement systems, emergency communications devices, other  
1.12 equipment related to violence prevention and facility security, and other capital equipment  
1.13 having an expected useful life at least as long as the terms of the certificates or notes; (b)  
1.14 purchase computer hardware and software, without regard to its expected useful life, whether  
1.15 bundled with machinery or equipment or unbundled, together with application development  
1.16 services and training related to the use of the computer; and (c) prepay special assessments.  
1.17 The certificates or notes must be payable in not more than ten years and must be issued on  
1.18 the terms and in the manner determined by the board, except that certificates or notes issued  
1.19 to prepay special assessments must be payable in not more than 20 years. The certificates  
1.20 or notes may be issued by resolution and without the requirement for an election. The  
1.21 certificates or notes are general obligation bonds for purposes of section 126C.55. A tax  
1.22 levy must be made for the payment of the principal and interest on the certificates or notes,  
1.23 in accordance with section 475.61, as in the case of bonds. The sum of the tax levies under

2.1 this section and section 123B.62 for each year must not exceed the lesser of the sum of the  
 2.2 amount of the district's total operating capital revenue and safe schools revenue, or the sum  
 2.3 of the district's levy in the general and community service funds excluding the adjustments  
 2.4 under this section for the year preceding the year the initial debt service levies are certified.  
 2.5 The district's general fund levy for each year must be reduced by the sum of (1) the amount  
 2.6 of the tax levies for debt service certified for each year for payment of the principal and  
 2.7 interest on the certificates or notes issued under this section as required by section 475.61,  
 2.8 (2) the amount of the tax levies for debt service certified for each year for payment of the  
 2.9 principal and interest on bonds issued under section 123B.62, and (3) any excess amount  
 2.10 in the debt redemption fund used to retire bonds, certificates, or notes issued under this  
 2.11 section or section 123B.62 after April 1, 1997, other than amounts used to pay capitalized  
 2.12 interest. If the district's general fund levy is less than the amount of the reduction, the balance  
 2.13 shall be deducted first from the district's community service fund levy, and next from the  
 2.14 district's general fund or community service fund levies for the following year. A district  
 2.15 using an excess amount in the debt redemption fund to retire the certificates or notes shall  
 2.16 report the amount used for this purpose to the commissioner by July 15 of the following  
 2.17 fiscal year. A district having an outstanding capital loan under section 126C.69 or an  
 2.18 outstanding debt service loan under section 126C.68 must not use an excess amount in the  
 2.19 debt redemption fund to retire the certificates or notes.

2.20 **EFFECTIVE DATE.** This section is effective July 1, 2019.

2.21 Sec. 2. Minnesota Statutes 2018, section 126C.44, is amended to read:

2.22 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

2.23 **Subdivision 1. Safe schools revenue.** ~~(a) Each district may make a levy on all taxable~~  
 2.24 ~~property located within the district for the purposes specified in this section. The maximum~~  
 2.25 ~~amount which may be levied for all costs under this section shall be equal to \$36 multiplied~~  
 2.26 ~~by~~ For fiscal year 2020 only, safe schools revenue for a school district equals the greater  
 2.27 of \$54 times the district's adjusted pupil units for the school year, or \$22,500.

2.28 (b) For fiscal year 2021 and later, safe schools revenue for a school district equals the  
 2.29 greater of \$72 times the district's adjusted pupil units for the school year, or \$30,000.

2.30 **Subd. 2. Safe schools levy.** (a) For fiscal year 2020 only, a district's safe schools levy  
 2.31 equals \$36 times the district's adjusted pupil units for the school year.

2.32 (b) To obtain safe schools revenue for fiscal year 2021 and later years, a district may  
 2.33 levy an amount not more than the product of its safe schools revenue for the fiscal year

3.1 times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to  
 3.2 the safe schools equalizing factor. The safe schools equalizing factor equals 60 percent of  
 3.3 the state average net tax capacity per adjusted pupil unit for all school districts.

3.4 (c) A school district that is a member of a cooperative unit may include in its levy  
 3.5 authority under this section the costs associated with safe schools activities authorized under  
 3.6 subdivision 5, paragraph (a), clauses (1) to (11), for cooperative unit programs. This authority  
 3.7 must not exceed the product of:

3.8 (1) the ratio of the safe schools allowance in paragraph (a) for the current year to the  
 3.9 allowance for taxes payable in 2019;

3.10 (2) \$15 times; and

3.11 (3) the adjusted pupil units of the member districts.

3.12 This authority is in addition to any other authority authorized under this section. Revenue  
 3.13 raised under this paragraph must be transferred to the cooperative unit. For the purposes of  
 3.14 this paragraph, "cooperative unit" includes entities defined under section 123A.24,  
 3.15 subdivision 2, and other joint powers districts.

3.16 Subd. 3. **Safe schools aid.** A district's safe schools aid equals its safe schools revenue  
 3.17 minus its safe schools levy times the ratio of the actual amount levied to the permitted levy.

3.18 Subd. 4. **Safe schools revenue for a charter school.** (a) For fiscal year 2020, safe  
 3.19 schools revenue for a charter school equals \$18 times the adjusted pupil units for the school  
 3.20 year. For fiscal year 2021 and later years, safe schools revenue for a charter school equals  
 3.21 \$36 times the adjusted pupil units for the school year.

3.22 (b) The revenue must be reserved and used only for costs associated with safe schools  
 3.23 activities authorized under subdivision 5, paragraph (a), clauses (1) to (11), or for building  
 3.24 lease expenses not funded by charter school building lease aid that are attributable to facility  
 3.25 security enhancements made by the landlord after March 1, 2019.

3.26 Subd. 5. **Use of safe schools revenue.** (a) ~~The proceeds of the levy revenue~~ must be  
 3.27 reserved and used for directly funding the following purposes or for reimbursing the cities  
 3.28 and counties who contract with the district for the following purposes:

3.29 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace  
 3.30 officers and sheriffs for liaison in services in the district's schools;

3.31 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,  
 3.32 subdivision 3, paragraph (e), in the elementary schools;

4.1 (3) to pay the costs for a gang resistance education training curriculum in the district's  
4.2 schools;

4.3 (4) to pay the costs for security in the district's schools and on school property;

4.4 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,  
4.5 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the  
4.6 school district;

4.7 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school  
4.8 social workers, licensed school psychologists, and licensed alcohol and chemical dependency  
4.9 counselors to help provide early responses to problems;

4.10 (7) to pay for facility security enhancements including laminated glass, public  
4.11 announcement systems, interior classroom security enhancements, emergency  
4.12 communications devices, and equipment and facility modifications related to violence  
4.13 prevention and facility security;

4.14 (8) to pay for costs associated with improving the school climate; ~~or~~

4.15 (9) to pay costs for collocating and collaborating with mental health professionals who  
4.16 are not district employees or contractors;

4.17 (10) to pay the costs of enhancing cybersecurity in the district's information systems; or

4.18 (11) by board resolution, to transfer money into the debt redemption fund to pay the  
4.19 amounts needed to meet, when due, principal and interest payments on obligations issued  
4.20 under sections 123B.61 and 123B.62 for purposes included in clause (7).

4.21 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt  
4.22 to contract for services to be provided by peace officers or sheriffs with the police department  
4.23 of each city or the sheriff's department of the county within the district containing the school  
4.24 receiving the services. If a local police department or a county sheriff's department does  
4.25 not wish to provide the necessary services, the district may contract for these services with  
4.26 any other police or sheriff's department located entirely or partially within the school district's  
4.27 boundaries.

4.28 ~~(c) A school district that is a member of an intermediate school district may include in~~  
4.29 ~~its authority under this section the costs associated with safe schools activities authorized~~  
4.30 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~  
4.31 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~  
4.32 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~  
4.33 ~~be transferred to the intermediate school district.~~

5.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

5.2 Sec. 3. **APPROPRIATIONS.**

5.3 Subdivision 1. **Commissioner of education.** The sums indicated in this section are  
5.4 appropriated from the general fund to the commissioner of education for the specified  
5.5 purposes.

5.6 Subd. 2. **Safe schools revenue.** For safe schools revenue under Minnesota Statutes,  
5.7 section 126C.44, subdivision 1:

5.8 \$ ..... .. 2020

5.9 \$ ..... .. 2021

5.10 The 2020 appropriation includes \$0 for 2019 and \$..... for 2020.

5.11 The 2021 appropriation includes \$..... for 2020 and \$..... for 2021.