

**2022 -- S 2596 SUBSTITUTE A**

=====  
LC003983/SUB A  
=====

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2022**

A N A C T

CAPITAL DEVELOPMENT PROGRAMS FOR EDUCATION -- STATEWIDE  
REFERENDUM

Introduced By: Senators Gallo, Ruggerio, McCaffrey, Goodwin, Pearson, Cano, and Euer

Date Introduced: March 10, 2022

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Proposition to be submitted to the people.

2 At the general election to be held on the Tuesday next after the first Monday in November  
3 2022, there shall be submitted to the people ("People") of the State of Rhode Island ("State"), for  
4 their approval or rejection, the following proposition:

5 "Shall the action of the general assembly, by an act passed at the January 2022 session,  
6 authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode  
7 Island for the capital projects and in the amount with respect to each such project listed below be  
8 approved, and the issuance of bonds, refunding bonds, and temporary notes authorized in  
9 accordance with the provisions of said act?"

10 Project

11 (2) Rhode Island School Buildings \$250,000,000

12 Approval of this question will allow the state of Rhode Island to issue general obligation  
13 bonds, refunding bonds, and/or temporary notes in an amount not to exceed two hundred fifty  
14 million dollars (\$250,000,000) to provide direct funding for school construction projects, such as  
15 the construction of new school facilities and the rehabilitation of existing school facilities.

16 SECTION 2. Section 16-7-40 of the General Laws in Chapter 16-7 entitled "Foundation  
17 Level School Support [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is  
18 hereby amended to read as follows:

1           **16-7-40. Increased school housing ratio.**

2           (a)(1) In the case of regional school districts, the school housing aid ratio shall be increased  
3 by two percent (2%) for each grade so consolidated.

4           (2) Regional school districts undertaking renovation project(s) shall receive an increased  
5 share ratio of four percent (4%) for those specific project(s) only, in addition to the combined share  
6 ratio calculated in § 16-7-39 and this subsection.

7           (b) In the case of projects undertaken by districts specifically for the purposes of school  
8 safety and security, the school housing aid share ratio shall be increased by five percent (5%) for  
9 these specific projects only, in the calculation of school housing aid. The increased share ratio shall  
10 continue to be applied for as long as the project(s) receives state housing aid. In order to qualify for  
11 the increased share ratio, seventy-five percent (75%) of the project costs must be specifically  
12 directed to school safety and security measures. The council on elementary and secondary  
13 education shall promulgate rules and regulations for the administration and operation of this  
14 section.

15           (c) For purposes of addressing health and safety deficiencies as defined by the school  
16 building authority, including the remediation of hazardous materials, the school housing aid ratio  
17 shall be increased by five percent (5%) so long as the construction of the project commences by  
18 December 30, ~~2022~~ 2023, is completed by December 30, ~~2027~~ 2028, and a two hundred fifty  
19 million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot.  
20 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
21 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

22           (d) For purposes of educational enhancement, including projects devoted to the  
23 enhancement of early childhood education and career and technical education, the school housing  
24 aid ratio shall be increased by five percent (5%) so long as construction of the project commences  
25 by December 30, ~~2022~~ 2023, is completed by December 30, ~~2027~~ 2028, and a two hundred fifty  
26 million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot.  
27 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
28 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to these  
29 purposes.

30           (e) For replacement of a facility that has a facilities condition index of sixty-five percent  
31 (65%) or higher, the school housing ratio shall be increased by five percent (5%) so long as  
32 construction of the project commences by December 30, 2023, is completed by December 30, 2028,  
33 does not receive a bonus pursuant to subsection (f) or subsection (g), and a two hundred fifty million  
34 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order

1 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum  
2 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

3 (f) For any new construction or renovation that increases the functional utilization of any  
4 facility from less than sixty percent (60%) to more than eighty percent (80%), including the  
5 consolidation of school buildings within or across districts, the school housing aid ratio shall be  
6 increased by five percent (5%) so long as construction of the project commences by December 30,  
7 2023, is completed by December 30, 2028, and a two hundred fifty million dollar (\$250,000,000)  
8 general obligation bond is approved on the November 2018 ballot. In order to qualify for the  
9 increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred  
10 thousand dollars (\$500,000) must be specifically directed to this purpose.

11 (g) For any new construction or renovation that decreases the functional utilization of any  
12 facility from more than one hundred twenty percent (120%) to between eighty-five percent (85%)  
13 to one hundred five percent (105%), the school housing ratio shall be increased by five percent  
14 (5%) so long as construction of the project commences by December 30, 2023, is completed by  
15 December 30, 2028, and a two hundred fifty million dollar (\$250,000,000) general obligation bond  
16 is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-  
17 five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000)  
18 must be specifically directed to this purpose.

19 (h) For consolidation of two (2) or more school buildings, within or across districts into  
20 one school building, the school housing aid ratio shall be increased by five percent (5%) so long as  
21 construction of the project commences by December 30, 2023, is completed by December 30, 2028,  
22 a two hundred fifty million dollar (\$250,000,000) general obligation bond is approved on the  
23 November 2018 ballot, and does not receive a bonus pursuant to subsection (f) or subsection (g).  
24 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
25 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

26 (i) Any regionalized and/or non-regionalized school district receiving an increased share  
27 ratio for a project approved prior to July 1, 2018, shall continue to receive the increased share ratio  
28 for as long as the project receives state housing aid.

29 SECTION 3. This act shall take effect upon passage.

=====  
LC003983/SUB A  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
CAPITAL DEVELOPMENT PROGRAMS FOR EDUCATION -- STATEWIDE  
REFERENDUM

\*\*\*

1           This act would provide for a statewide voter referendum seeking approval of capital  
2 development bonds for direct funding for foundational level school housing aid and the school  
3 capital building authority fund in the amount of two hundred fifty million dollars (\$250,000,000).  
4 It will also extend some dates in the increased school housing ratio statute.

5           This act would take effect upon passage.

=====  
LC003983/SUB A  
=====