

2022 -- S 2840 SUBSTITUTE A

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LC004351/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Senator Hanna M. Gallo

Date Introduced: April 05, 2022

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-40 of the General Laws in Chapter 16-7 entitled "Foundation
2 Level School Support [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is
3 hereby amended to read as follows:

4 **16-7-40. Increased school housing ratio.**

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

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

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

18 (c) For purposes of addressing health and safety deficiencies as defined by the school
19 building authority, including the remediation of hazardous materials, the school housing aid ratio

1 shall be increased by five percent (5%) so long as the construction of the project commences by
2 December 30, 2022, is completed by December 30, 2027, and a two hundred fifty million dollar
3 (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order to
4 qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum
5 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

6 (d) For purposes of educational enhancement, including projects devoted to the
7 enhancement of early childhood education and career and technical education, the school housing
8 aid ratio shall be increased by five percent (5%) so long as construction of the project commences
9 by December 30, 2022, is completed by December 30, 2027, and a two hundred fifty million dollar
10 (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order to
11 qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum
12 of five hundred thousand dollars (\$500,000) must be specifically directed to these purposes.

13 (e) For replacement of a facility that has a facilities condition index of sixty-five percent
14 (65%) or higher, the school housing ratio shall be increased by five percent (5%) so long as
15 construction of the project commences by December 30, 2023, is completed by December 30, 2028,
16 does not receive a bonus pursuant to subsection (f) or subsection (g), and a two hundred fifty million
17 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order
18 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum
19 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

20 (f) For any new construction or renovation that increases the functional utilization of any
21 facility from less than sixty percent (60%) to more than eighty percent (80%), including the
22 consolidation of school buildings within or across districts, the school housing aid ratio shall be
23 increased by five percent (5%) so long as construction of the project commences by December 30,
24 2023, is completed by December 30, 2028, and a two hundred fifty million dollar (\$250,000,000)
25 general obligation bond is approved on the November 2018 ballot. In order to qualify for the
26 increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred
27 thousand dollars (\$500,000) must be specifically directed to this purpose.

28 (g) For any new construction or renovation that decreases the functional utilization of any
29 facility from more than one hundred twenty percent (120%) to between eighty-five percent (85%)
30 to one hundred five percent (105%), the school housing ratio shall be increased by five percent
31 (5%) so long as construction of the project commences by December 30, 2023, is completed by
32 December 30, 2028, and a two hundred fifty million dollar (\$250,000,000) general obligation bond
33 is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-
34 five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000)

1 must be specifically directed to this purpose.

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

9 (i)(1) For projects approved after August 1, 2022, that award or utilize at least fifty-one
10 percent (51%) of a project's architectural services and one hundred percent (100%) of the project's
11 educational design services to a Rhode Island based architectural firm, the school housing aid ratio
12 shall be increased by five percent (5%) so long as construction of the project commences by
13 December 30, 2025, and is completed by December 30, 2030.

14 (2) For purposes of this section a "Rhode Island based architectural firm" means:

15 (i) A business with a principal place of business or headquarters located within the state;

16 (ii) A business in which a minimum of fifty-one percent (51%) of its employees reside
17 within the state; and

18 (iii) In the case of a corporation or limited liability company, is registered with the secretary
19 of state as a domestic corporation or limited liability company for at least the five (5) consecutive
20 years prior to July 1, 2022.

21 (3) An architectural firm seeking to qualify as a Rhode Island based architectural firm shall
22 be required to annually file and certify the necessary documentation to satisfy the requirements in
23 § 16-7-40(i)(2), with the Rhode Island department of administration. The department of
24 administration shall promulgate rules and regulations for the submission and verification of
25 information required in § 16-7-40(i)(2) in order to determine the eligibility of an architectural firm
26 to be certified as a "Rhode Island based architectural firm."

27 (4) On August 1, 2022, and annually thereafter, the Rhode Island department of education
28 -- school building authority shall obtain a list or certified Rhode Island based architectural firms
29 from the department of administration and electronically publish them on the department of
30 education -- school building authority webpage.

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

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

1 This act would provide that for school building projects approved after August 1, 2022,
2 that award or utilize at least fifty-one percent (51%) of a project's architectural services and one
3 hundred percent (100%) of the project educational design services to a Rhode Island based
4 architectural firm, the school housing aid ratio would be increased by five percent (5%), so long as
5 construction of the project commences by December 30, 2025, and the project is completed by
6 December 30, 2030.

7 This act would take effect upon passage.

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