

# HOUSE BILL No. 4707

April 16, 1991, Introduced by Rep. Bryant and referred to the Committee on Education.

A bill to amend Act No. 94 of the Public Acts of 1979, entitled as amended

"The state school aid act of 1979,"

as amended, being sections 388.1601 to 388.1772 of the Michigan Compiled Laws, by adding section 23a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Act No. 94 of the Public Acts of 1979, as  
2 amended, being sections 388.1601 to 388.1772 of the Michigan  
3 Compiled Laws, is amended by adding section 23a to read as  
4 follows:

5       SEC. 23A. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
6 ACT, BASED ON INFORMATION REPORTED TO THE DEPARTMENT BY A PUBLIC  
7 SCHOOL CORPORATION, THE DEPARTMENT SHALL CALCULATE AND PAY TO A  
8 PUBLIC SCHOOL CORPORATION FOR EACH PUPIL IN MEMBERSHIP IN A  
9 SCHOOL OPERATED BY THE PUBLIC SCHOOL CORPORATION AN AMOUNT THAT

1 IS EQUAL TO THE AMOUNT OF TOTAL STATE AID THAT WOULD HAVE BEEN  
2 PAID TO THE PUPIL'S DISTRICT OF RESIDENCE IF THE PUPIL WERE  
3 ENROLLED IN HIS OR HER DISTRICT OF RESIDENCE. THE PAYMENTS SHALL  
4 BE MADE IN THE SAME MANNER AND ON THE SAME SCHEDULE AS PAYMENTS  
5 TO DISTRICTS.

6 (2) IN ORDER TO RECEIVE STATE AID UNDER THIS SECTION, NOT  
7 LATER THAN THE THIRD FRIDAY FOLLOWING THE PUPIL MEMBERSHIP COUNT  
8 DAY, A PUBLIC SCHOOL CORPORATION SHALL FILE WITH THE DEPARTMENT A  
9 CERTIFIED AND SWORN COPY OF THE PUBLIC SCHOOL CORPORATION'S  
10 ENROLLMENT FOR THAT SCHOOL YEAR. IN ADDITION, A PUBLIC SCHOOL  
11 CORPORATION MAINTAINING SCHOOL DURING THE ENTIRE YEAR, AS PRO-  
12 VIDED UNDER SECTION 1561 OF THE SCHOOL CODE OF 1976, BEING SEC-  
13 TION 380.1561 OF THE MICHIGAN COMPILED LAWS, SHALL FILE WITH THE  
14 DEPARTMENT A CERTIFIED AND SWORN COPY OF THE ENROLLMENT FOR THE  
15 SCHOOL YEAR PURSUANT TO RULES PROMULGATED BY THE STATE BOARD. IN  
16 CASE OF FAILURE TO FILE THE SWORN AND CERTIFIED COPY NOT LATER  
17 THAN THE THIRD FRIDAY FOLLOWING THE PUPIL MEMBERSHIP COUNT DAY OR  
18 PURSUANT TO RULES PROMULGATED BY THE STATE BOARD, STATE AID DUE  
19 TO BE DISTRIBUTED ON DECEMBER 1 UNDER THIS ACT SHALL BE WITHHELD  
20 FROM THE DEFAULTING PUBLIC SCHOOL CORPORATION. THE ENROLLMENT  
21 STATEMENTS FILED UNDER THIS SECTION SHALL INCLUDE AT LEAST EACH  
22 PUPIL'S NAME, ADDRESS, AND DISTRICT OF RESIDENCE. A PERSON WHO  
23 WILLFULLY FALSIFIES A FIGURE OR STATEMENT IN THE CERTIFIED AND  
24 SWORN COPY OF ENROLLMENT SHALL BE PUNISHED IN THE MANNER PRE-  
25 SCRIBED BY THE LAWS OF THIS STATE.

26 (3) IN ORDER TO RECEIVE STATE AID UNDER THIS SECTION, A  
27 PUBLIC SCHOOL CORPORATION SHALL COMPLY WITH THE REQUIREMENTS OF

1 SECTION 101 REGARDING THE MINIMUM NUMBER OF PUPIL INSTRUCTION  
2 DAYS AND THE REPORTING REQUIREMENTS OF SECTIONS 152 AND 153. IN  
3 ADDITION, A PUBLIC SCHOOL CORPORATION AND ITS OFFICIALS ARE  
4 SUBJECT TO THE SAME PENALTIES AND FORFEITURES AS A DISTRICT UNDER  
5 ARTICLE 16.

6 (4) A PUBLIC SCHOOL CORPORATION SHALL USE THE MONEY IT  
7 RECEIVES UNDER THIS ACT FOR THE SAME PURPOSES AS A DISTRICT UNDER  
8 SECTION 18.

9 (5) AS USED IN THIS SECTION, "PUBLIC SCHOOL CORPORATION"  
10 MEANS AN ENTITY OPERATING 1 OR MORE PUBLIC SCHOOLS AS A PUBLIC  
11 SCHOOL CORPORATION UNDER PART 6A OF THE SCHOOL CODE OF 1976,  
12 BEING SECTIONS 380.501 TO 380.503 OF THE MICHIGAN COMPILED LAWS.

13 Section 2. This amendatory act shall not take effect unless  
14 Senate Bill No. \_\_\_\_ or House Bill No. 4706 (request  
15 no. 01563'91) of the 86th Legislature is enacted into law.