



State of Wisconsin
2015 - 2016 LEGISLATURE

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**ASSEMBLY AMENDMENT 3,
TO ASSEMBLY BILL 751**

February 9, 2016 - Offered by Representative Vos.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 8: after “program” insert “and school district revenue limits”.

3 **2.** Page 7, line 15: after that line insert:

4 **“SECTION 19c.** 121.90 (1) (f) (intro.) of the statutes, as created by 2015
5 Wisconsin Act 55, is amended to read:

6 121.90 (1) (f) (intro.) In the 2015-16 school year ~~and in each school year~~
7 ~~thereafter~~, the “number of pupils enrolled” shall include a number equal to the sum
8 of the pupils residing in the school district who attend any of the following on the 3rd
9 Friday of September ~~of each appropriate school year~~:

10 **SECTION 19f.** 121.90 (1) (g) of the statutes is created to read:

11 121.90 (1) (g) In the 2016-17 school year and in each school year thereafter, the
12 “number of pupils enrolled” shall include all of the following:

1 1. The number of pupils residing in the school district who, on the 3rd Friday
2 of September, attend a private school under a scholarship under s. 115.7915.

3 2. The number of pupils residing in the school district who, on the 3rd Friday
4 of September, attend a charter school established under a contract with an entity
5 under s. 118.40 (2r) (b) 1. e. to h.

6 3. The number of pupils residing in the school district who, on the 3rd Friday
7 of September, attend a charter school established under a contract with the director
8 under s. 118.40 (2x).

9 4. The number of incoming choice pupils, as defined in s. 118.60 (4d) (a),
10 residing in the school district who, on the 3rd Friday of September, attend a private
11 school under s. 118.60.

12 **SECTION 19h.** 121.91 (4) (f) 1. (intro.) of the statutes is amended to read:

13 121.91 (4) (f) 1. (intro.) Except as provided in subd. 1m. and subject to subd. 1r.,
14 for the 2007-08 school year or any school year thereafter, if the average of the number
15 of pupils enrolled in the current and the 2 preceding school years is less than the
16 average of the number of pupils enrolled in the 3 previous school years, the limit
17 otherwise applicable under sub. (2m) is increased by the additional amount that
18 would have been calculated had there been no decline in average enrollment.

19 **SECTION 19j.** 121.91 (4) (f) 1r. of the statutes is created to read:

20 121.91 (4) (f) 1r. a. For the 2016-17, 2017-18, and 2018-19 school years, for the
21 purpose of determining the number of pupils enrolled in any relevant school year, a
22 school district may not include the number of incoming choice pupils, as defined in
23 s. 118.60 (4d) (a), residing in the school district who, on the 3rd Friday of September,
24 attend a private school under s. 118.60.

1 b. For the 2019-20 school year and any school year thereafter, for the purpose
2 of determining the number of pupils enrolled in any relevant school year, a school
3 district shall include the number of incoming choice pupils, as defined in s. 118.60
4 (4d) (a), residing in the school district who, on the 3rd Friday of September, attend
5 a private school under s. 118.60.

6 **SECTION 19L.** 121.91 (4) (n) of the statutes, as created by 2015 Wisconsin Act
7 55, is repealed.

8 **SECTION 19n.** 121.91 (7) of the statutes, as affected by 2015 Wisconsin Act 55,
9 is amended to read:

10 121.91 (7) Except as provided in subs. (4) (f) 2. and ~~(n)~~ (o) to (qe) and (8), if an
11 excess revenue is approved under sub. (3) for a recurring purpose or allowed under
12 sub. (4), the excess revenue shall be included in the base for determining the limit
13 for the next school year for purposes of this section. If an excess revenue is approved
14 under sub. (3) for a nonrecurring purpose, the excess revenue shall not be included
15 in the base for determining the limit for the next school year for purposes of this
16 section.

17 **SECTION 19p.** 121.91 (8) of the statutes is renumbered 121.91 (8) (a) and
18 amended to read:

19 121.91 (8) (a) If Subject to par. (b), if a school district's initial revenue limit for
20 the current school year, as calculated under s. 121.905 or sub. (2m), whichever is
21 appropriate, before making any adjustments under sub. (3) or (4), is less than the
22 amount determined by multiplying the amount under sub. (2m) (i) 1. by the average
23 of the number of pupils enrolled in the 3 preceding school years, the school district's
24 initial revenue limit for the current school year, before making any adjustments
25 under sub. (3) or (4), is the amount determined by multiplying the amount under sub.

1 (2m) (i) 1. by the average of the number of pupils enrolled in the 3 preceding school
2 years. Any additional revenue received by a school district as a result of this
3 subsection shall not be included in the base for determining the school district's limit
4 under sub. (2m) for the following school year. This subsection does not apply to a
5 school district's revenue limit calculated for the 2011-12 and 2012-13 school years.

6 **SECTION 19r.** 121.91 (8) (b) of the statutes is created to read:

7 121.91 (8) (b) 1. For the 2016-17, 2017-18, and 2018-19 school years, for the
8 purpose of determining the number of pupils enrolled in any relevant school year, a
9 school district may not include the number of incoming choice pupils, as defined in
10 s. 118.60 (4d) (a), residing in the school district who, on the 3rd Friday of September,
11 attend a private school under s. 118.60.

12 2. For the 2019-20 school year and any school year thereafter, for the purpose
13 of determining the number of pupils enrolled in any relevant school year, a school
14 district shall include the number of incoming choice pupils, as defined in s. 118.60
15 (4d) (a), residing in the school district who, on the 3rd Friday of September, attend
16 a private school under s. 118.60.”.

17 **3.** Page 8, line 1: after that line insert:

18 **“SECTION 21m. Initial applicability.**

19 (1) REVENUE LIMIT ADJUSTMENT FOR INCOMING CHOICE PUPILS. The treatment of
20 section 121.91 (4) (f) 1. (intro.) and 1r. and (n) and (7) of the statutes, the renumbering
21 and amendment of section 121.91 (8) of the statutes, and the creation of section
22 121.91 (8) (b) of the statutes first apply to the calculation of a school district's revenue
23 limit for the 2016-17 school year.”.

24 (END)