

# HOUSE BILL No. 5461

February 5, 2004, Introduced by Reps. Vander Veen, Hoogendyk, Nitz, Brandenburg, DeRossett, Stahl, Taub, Wenke and Huizenga and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 25c (MCL 388.1625c), as added by 2001 PA 121; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 25c. (1) ~~Beginning in 2000-2001, this~~ **This** section  
2 applies to an educating district's enrollment of a pupil if ~~the~~  
3 ~~educating district is a school district of the first class under~~  
4 ~~the revised school code and if~~ all of the following apply:

5           (a) The pupil transfers from another district and enrolls in  
6 the educating district after the pupil membership count day.

7           (b) Due to the pupil's enrollment status as of the pupil  
8 membership count day, the pupil was counted in membership in the  
9 district from which he or she transfers.

10       ~~(c) The pupil was a resident of the educating district on~~

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~~1 the pupil membership count day or met other eligibility criteria  
2 under section 6(4) or (6) to be counted in membership in the  
3 educating district if the pupil had been enrolled in the  
4 educating district on the pupil membership count day.~~

~~5 ——— (d) The total number of pupils enrolled in the district who  
6 are described in subdivisions (a), (b), and (c) is at least equal  
7 to 25.~~

8 (2) If the conditions specified in subsection (1) are met,  
9 and a pupil transfers from another district and enrolls during a  
10 school year in the educating district, the educating district  
11 shall report the enrollment information to the department and to  
12 the district in which the pupil is counted in membership, and the  
13 district in which the pupil is counted in membership shall pay to  
14 the educating district an amount equal to the amount of the  
15 foundation allowance or per pupil payment as calculated under  
16 section 20 for the district in which the pupil is counted in  
17 membership, prorated according to the number of days of the  
18 school year ending in the fiscal year the pupil is educated in  
19 the educating district compared to the number of days of the  
20 school year ending in the fiscal year the pupil was actually  
21 enrolled in the district in which the pupil is counted in  
22 membership. The foundation allowance or per pupil payment shall  
23 be adjusted by the pupil's full-time equated status as affected  
24 by the membership definition under section 6(4). If a district  
25 does not make the payment required under this section within 30  
26 days after receipt of the report, the department shall calculate  
27 the amount owed, shall deduct that amount from the remaining

1 state school aid payments to the district for that fiscal year  
2 under this act, and shall pay that amount to the educating  
3 district. The district in which the pupil is counted in  
4 membership and the educating district shall provide to the  
5 department all information the department requires to enforce  
6 this section.

7 (3) In determining the total amount a district owes to the  
8 educating district under this section, regardless of whether that  
9 district is otherwise eligible for payment from the educating  
10 district under this section, the district may calculate and  
11 subtract from the amount owed, using the calculation described in  
12 subsection (1), any amount applicable to pupils who transfer to  
13 that district from the educating district and meet the  
14 requirements of subsection ~~(1)(a) to (c)~~ (1).

15 (4) As used in this section, "educating district" means the  
16 district in which a pupil enrolls after the pupil membership  
17 count day as described in subsection (1).

18 Enacting section 1. Section 25b of the state school aid act  
19 of 1979, 1979 PA 94, MCL 388.1625b, is repealed.