

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H2/8/23 S3/29/23  
**A Bill**

HOUSE BILL 1254

By: Representatives J. Mayberry, Brooks, Hawk, McClure

By: Senator K. Hammer

### **For An Act To Be Entitled**

AN ACT CONCERNING THE ACADEMIC FACILITIES PARTNERSHIP PROGRAM; TO AMEND THE STATE FINANCIAL PARTICIPATION AMOUNT BY USING THE BASIC PROJECT COST PER SQUARE FOOT FOR PUBLIC SCHOOL NEW CONSTRUCTION PROJECTS; AND FOR OTHER PURPOSES.

### **Subtitle**

TO AMEND THE STATE FINANCIAL PARTICIPATION AMOUNT BY USING THE BASIC PROJECT COST PER SQUARE FOOT FOR PUBLIC SCHOOL NEW CONSTRUCTION PROJECTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-20-2507(f)(1), concerning the calculation of the amount of state financial participation under the Academic Facilities Partnership Program, is amended to read as follows:

(f)(1)(A) If a school district qualifies for state financial participation under this section, the Division of Public School Academic Facilities and Transportation shall certify the amount of state financial participation to the commission.

(B) The amount of state financial participation under this section ~~is limited to~~ shall be the:

(i) The amount resulting from the application of the academic facilities wealth index to the project cost promulgated by the commission to calculate the cost necessary to bring the academic facility



into compliance with the Arkansas Public School Academic Facility Manual under § 6-21-809; and

(ii) Limited to a maximum amount of two hundred eighty-nine dollars (\$289) per square foot

SECTION 2. Arkansas Code § 6-20-2509 is amended to read as follows:  
6-20-2509. Project cost guidelines.

(a)(1) The Division of Public School Academic Facilities and Transportation shall establish ~~formulas~~ funding factors, which shall be limited to a maximum of two hundred eighty-nine dollars (\$289) per square foot, that shall be updated annually by the fourth quarter of the calendar year for determining the basic project cost per square foot for various types of new construction projects, including without limitation:

(A) New academic facilities;  
(B) Additions to existing academic facilities; and  
(C) Major improvements to academic facilities that bring the state of condition or efficiency of the academic facility to a state of condition or efficiency better than the facility's original condition of completeness or efficiency.

(2) In establishing the ~~formulas~~ funding factors, the division shall take into consideration:

(A) The academic programs offered;  
(B) Current enrollment levels;  
(C) Enrollment projections;  
(D) Grade configuration;  
(E) The type of public school; and  
(F) Nationally recognized design and construction standards for cost per square foot.

(3) The division shall establish a process for determining the cost of local enhancements and shall include a mechanism in the ~~formulas~~ funding factors, which shall be limited to a maximum of two hundred eighty-nine dollars (\$289) per square foot, for determining basic project cost that excludes the cost of local enhancements from the qualified project cost.

(b)(1) *When a school district applies for state financial participation, the division shall use the appropriate formula to compute a qualified project cost.*

(2) The division shall determine the estimated amount of the state's share of financial participation based on the qualified project cost and the school district's wealth index as determined under § 6-20-2502.

*/s/J. Mayberry*