

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

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: H2/8/23 S3/29/23

# A Bill

HOUSE BILL 1254

5 By: Representatives J. Mayberry, Brooks, Hawk, McClure  
6 By: Senator K. Hammer  
7

## For An Act To Be Entitled

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

16 TO AMEND THE STATE FINANCIAL  
17 PARTICIPATION AMOUNT BY USING THE BASIC  
18 PROJECT COST PER SQUARE FOOT FOR PUBLIC  
19 SCHOOL NEW CONSTRUCTION PROJECTS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 6-20-2507(f)(1), concerning the calculation  
26 of the amount of state financial participation under the Academic Facilities  
27 Partnership Program, is amended to read as follows:

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

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

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



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

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

5  
6 SECTION 2. Arkansas Code § 6-20-2509 is amended to read as follows:

7 6-20-2509. Project cost guidelines.

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

14 (A) New academic facilities;

15 (B) Additions to existing academic facilities; and

16 (C) Major improvements to academic facilities that bring  
17 the state of condition or efficiency of the academic facility to a state of  
18 condition or efficiency better than the facility's original condition of  
19 completeness or efficiency.

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

22 (A) The academic programs offered;

23 (B) Current enrollment levels;

24 (C) Enrollment projections;

25 (D) Grade configuration;

26 (E) The type of public school; and

27 (F) Nationally recognized design and construction  
28 standards for cost per square foot.

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

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

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