

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1337**

Introduced by Walz, 15.

Read first time January 17, 2024

Committee: Education

1 A BILL FOR AN ACT relating to schools; to adopt the School Construction

2 Financing Act.

3 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 7 of this act shall be known and may be  
2 cited as the School Construction Financing Act.

3           Sec. 2. The purpose of the School Construction Financing Act is to  
4 streamline the process of school construction projects and provide state  
5 support to school construction projects while maintaining and protecting  
6 local control for school districts.

7           Sec. 3. For purposes of the School Construction Financing Act:

8           (1) Extraordinary growth means an above average growth in the  
9 student population of such school district as determined by the state  
10 board;

11           (2) School construction project means any project involving a  
12 renovation, modification, or addition to school district property or  
13 facilities or the construction of a new school building on school  
14 district property; and

15           (3) State board means the State Board of Education.

16           Sec. 4. A school district is eligible to apply for matching funds  
17 from the State of Nebraska of up to fifty percent of the cost of a school  
18 construction project for use on such project if the school district:

19           (1) Has had extraordinary growth within the five years prior to  
20 applying for such matching funds;

21           (2) Has had recent destruction or damage to educational facilities  
22 by fire or natural disaster; or

23           (3) Is required to replace school district facilities due to such  
24 facilities being certified by the appropriate inspection individual to be  
25 hazardous to health or safety or to be in a violation of any health or  
26 safety standards.

27           Sec. 5. (1) A school district eligible to apply for matching funds  
28 from the state for a school construction project pursuant to section 4 of  
29 this act may apply in a manner prescribed by the state board for such  
30 matching funds.

31           (2) A school district shall include with an application for matching

1 funds pursuant to this section, a facilities plan that contains the  
2 following information for such school district:

3 (a) Student population historical data;

4 (b) Student population projections for the ensuing five-year period  
5 at the time of the application;

6 (c) System organization patterns at the time of the application and  
7 future projections;

8 (d) Minimum and maximum limits on the student population size based  
9 on the facilities available at the time of application for all  
10 elementary, middle, and high schools;

11 (e) Instructional service and support programs for each school;

12 (f) Facility needs, including the estimated cost for any  
13 renovations, modifications, additions, or new school buildings;

14 (g) School facilities that are to be closed, phased out, or  
15 abandoned;

16 (h) The school construction project proposal for which the state  
17 matching funds are requested;

18 (i) Proposed financing for effectuating the school construction  
19 project proposal for which the state matching funds are requested,  
20 including any local, state, federal, and other funding sources;

21 (j) The total cost of the school construction project for which the  
22 state matching funds are requested; and

23 (k) Any other information the state board may require.

24 Sec. 6. The Commissioner of Education shall approve or deny  
25 applications for matching funds pursuant to the School Construction  
26 Financing Act and shall include the cost for any approved application as  
27 part of the commissioner's operating budget request submitted to the  
28 Legislature and the Governor.

29 Sec. 7. The state board shall adopt and promulgate rules and  
30 regulations to carry out the School Construction Financing Act no later  
31 than July 1, 2025.