

1 **ARTICLE 22**

2 RELATING TO EDUCATION

3 SECTION 1. Section 16-7-41.1 of the General Laws in Chapter 16-7 entitled
4 "Foundation Level School Support [See Title 16 Chapter 97 - The Rhode Island Board Of
5 Education Act]" is hereby amended to read as follows:

6 **16-7-41.1. Eligibility for reimbursement.** -- (a) School districts, not municipalities,
7 may apply for and obtain approval for a project under the necessity of school construction process
8 set forth in the regulations of the board of regents for elementary and secondary education,
9 provided, however, in the case of municipality which issues bonds through the Rhode Island
10 Health and Educational Building Corporation to finance or refinance school facilities for a school
11 district which is not part of the municipality, the municipality may apply for and obtain approval
12 for a project. Such approval will remain valid until June 30 of the third fiscal year following the
13 fiscal year in which the board of regents for elementary and secondary education's approval is
14 granted. Only those projects undertaken at school facilities under the care and control of the
15 school committee and located on school property may qualify for reimbursement under sections
16 16-7-35 -- 16-7-47. Facilities with combined school and municipal uses or facilities that are
17 operated jointly with any other profit or non-profit agency do not qualify for reimbursement
18 under sections 16-7-35 -- 16-7-47. Projects completed by June 30 of a fiscal year are eligible for
19 reimbursement in the following fiscal year. A project for new school housing or additional
20 housing shall be deemed to be completed when the work has been officially accepted by the
21 school committee or when the housing is occupied for its intended use by the school committee,
22 whichever is earlier.

23 (b) Notwithstanding the provisions of this section, the board of regents shall not grant
24 final approval for any project between June 30, 2011 and ~~June 30, 2014~~ [May 1, 2015](#) except for
25 projects that are necessitated by immediate health and safety reasons. In the event that a project is
26 requested during the moratorium because of immediate health and safety reasons, those proposals
27 shall be reported to the chairs of the house and senate finance committees.

28 (c) Any project approval granted prior to the adoption of the school construction
29 regulations in 2007, and which are currently inactive; and any project approval granted prior to
30 the adoption of the school construction regulations in 2007 which did not receive voter approval
31 or which has not been previously financed, are no longer eligible for reimbursement under this
32 chapter. The department of elementary and secondary education shall develop recommendations

1 for further cost containment strategies in the school housing aid program.

2 SECTION 2. This article shall take effect upon passage.

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