

HOUSE RESEARCH

Bill Summary

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Authors: Olson and others

Subject: Allowing school districts to opt out of certain state mandates

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Overview

Establishes a process and conditions by which school districts may opt out of certain state mandates.

Section

1 Definitions.

Subd. 1. Scope. Declares that the terms in this section have the meaning given them.

Subd. 2. School district. Defines school district to mean a common, independent or special school district but not a charter school.

Subd. 3. State mandate. Defines state mandate to mean a state law or rule that affects local government structure, operation, services, programs or financing and imposes a cost on local government, decreases revenue without decreasing required programs or services, establishes local goals or policies, makes local government or its officials liable for failing to comply with a law or rule, restricts the ability of local government to operate or obtain funding, or alters federal law requirements.

2 Opt out procedures.

Subd. 1. Local procedure. Allows a school district to formally resolve to opt out of a state mandate except a mandate listed under section 3. Specifies the notice requirements and procedures for this process. Requires a school district to file each resolution with the state auditor and pay a \$75 filing fee that the state auditor may adjust.

Subd. 2. State procedure. (a) Requires the state auditor to post information on districts' opt out resolutions and to notify the legislature and the revisor of statutes.

(b) Directs the revisor to publish a list of school districts and the laws from which the districts are opting out and to provide finding aids for statute users.

Subd. 3. Threshold for opt out; certification; effective date. Waives a statutory mandate at the end of the current legislative session if 10 percent of school districts resolve to opt out of a mandate.

Subd. 4. Later opt outs. Waives a statutory mandate for other school districts that opt out of a mandate after the waiver of the mandate goes into effect.

3

Exceptions.

Subd. 1. Scope. Excludes the laws listed in this section from the provisions under section 2.

Subd. 2. Election law. Excludes election laws from the provisions under section 2.

Subd. 3. Administration of the property tax system. Excludes property tax laws from the provisions under section 2.

Subd. 4. Accounting, financial management procedures; audit requirements. Excludes accounting, financial management and audit requirements applicable to school districts from the provisions under section 2.

Subd. 5. Nonpublic students. Excludes laws governing nonpublic schools and students from the provisions under section 2.