

**SENATE  
STATE OF MINNESOTA  
SEVENTH SPECIAL SESSION**

**S.F. No. 28**

(SENATE AUTHORS: NELSON)

DATE	D-PG	OFFICIAL STATUS
12/14/2020	10	Introduction and first reading
	10	Laid on table

1.1 A bill for an act

1.2 relating to education finance; extending the application deadline for free or

1.3 reduced-price lunch for the fall 2020 count of eligible students; requiring federal

1.4 funds replacement; appropriating money.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **FREE AND REDUCED-PRICE LUNCH APPLICATION DEADLINE;**

1.7 **FALL 2020 COUNT.**

1.8 (a) Notwithstanding any law to the contrary, for purposes of determining the count of

1.9 the number of pupils eligible for free or reduced-price lunch on October 1, 2020, under

1.10 Minnesota Statutes, section 126C.05, subdivision 16, pupils must be determined eligible

1.11 by January 4, 2021.

1.12 (b) A school district or charter school must report the number of pupils who were enrolled

1.13 on October 1, 2020, and who were certified as eligible for free or reduced-price lunch

1.14 between December 16, 2020, and the end of the day on January 4, 2021, to the Department

1.15 of Education in the form and manner determined by the commissioner of education. By

1.16 July 1, 2021, the commissioner must certify the amount of compensatory revenue for the

1.17 2021-2022 school year attributable to the pupils determined eligible for free or reduced-price

1.18 lunch by school site under this section.

1.19 **EFFECTIVE DATE.** This section is effective retroactively from October 1, 2020.

1.20 Sec. 2. **FEDERAL FUNDS REPLACEMENT; APPROPRIATION.**

1.21 Subdivision 1. **Suspension of statutory appropriation.** The appropriation in Minnesota

1.22 Statutes, section 4.07, subdivision 3, does not apply to the portion of any federal funds for

2.1 COVID-19 received by the state of Minnesota between the effective date of this act and  
2.2 June 30, 2023, for which a general fund aid entitlement in this act is an eligible expenditure.  
2.3 Federal funding for which this section applies shall not be used for any other purpose.

2.4 Subd. 2. **General education reduction.** Notwithstanding Minnesota Statutes, sections  
2.5 126C.13 and 126C.20, if the state of Minnesota receives federal funds for COVID-19  
2.6 between the effective date of this act and June 30, 2023, for which section 1 qualifies as an  
2.7 eligible expenditure, the commissioner must reduce the state total general education aid  
2.8 entitlement for fiscal year 2022 according to this subdivision. The state total general education  
2.9 aid must be reduced by an amount up to, but not greater than, the amount of compensatory  
2.10 revenue certified under section 1. The aid reduction must be allocated among school districts  
2.11 and charter schools in proportion to the amounts certified by the commissioner under section  
2.12 1 for the school district or charter school. If federal funds available for appropriation under  
2.13 this section are not sufficient to replace the entire amount certified under section 1, the  
2.14 commissioner must reduce the state total general education aid entitlement for fiscal year  
2.15 2022 only by the amount of the federal funds available for appropriation.

2.16 Subd. 3. **Appropriation.** The commissioner must offset the general education reduction  
2.17 for each school district and charter school under subdivision 2 with an equal amount of  
2.18 federal aid. An amount equal to each reduction under subdivision 2 is appropriated from  
2.19 the federal fund for the original purposes of providing compensatory revenue to school  
2.20 districts and charter schools. Any appropriation of federal funds under this subdivision is  
2.21 a onetime appropriation.

2.22 Subd. 4. **Expiration.** This section does not apply to federal funds after the general fund  
2.23 appropriations in this act have been reduced and federal funds have been appropriated for  
2.24 the same purpose.

2.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.