

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 547

FISCAL
NOTE

By Senator Rucker

[Introduced February 20, 2025; referred
to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §18-5G-18, relating to creating the Charter Schools Startup Fund; requiring
 3 submission of application to the West Virginia Professional Charter School Board in order
 4 to receive funds from the Charter Schools Startup Fund; requiring notice to potential
 5 applicants; requiring certain contents be included in application; requiring distribution of
 6 money to qualifying charter school applicants and charter schools, subject to availability of
 7 funding; and specifying manner of distribution.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5G. PUBLIC CHARTER SCHOOLS.

§18-5G-18.	Charter	Schools	Startup	Fund.
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1 (a) There is hereby created in the State Treasury a special revenue fund designated and
 2 known as the Charter Schools Startup Fund. The fund is established for the purpose of providing
 3 financial support to charter school applicants and charter schools that may not otherwise have the
 4 resources for start-up costs such as costs associated with renovating or remodeling existing
 5 buildings and structures and costs for the purchase of school buses. The fund consists of money
 6 appropriated by the Legislature, grants, gifts, devises, and donations from any public or private
 7 source. All interest and other returns derived from the deposit and investment of money in the
 8 Charter Schools Startup Fund shall be credited to the fund. Any balance, including accrued
 9 interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the
 10 General Revenue Fund, but shall remain in the fund and be expended as provided in this section.
 11 The West Virginia Professional Charter School Board shall administer the fund.

12 (b) In order to receive any funds from the Charter Schools Startup Fund, a charter school
 13 applicant shall submit a separate application for that purpose to the West Virginia Professional
 14 Charter School Board in a form and with information prescribed by that board. The West Virginia
 15 Professional Charter School Board shall notify all potential applicants of the availability of the
 16 funds to successful applicants. As part of the application, any applicant for the funds shall attest to

17 or demonstrate that it:

18 (1) Would not otherwise have the financial capacity without money from the Charter
19 Schools Startup Fund to:

20 (A) Successfully apply to an authorizer; or

21 (B) Start a public charter school; and

22 (2) Is not working with or financed by any organization that has started or financed other
23 charter schools to the degree that facilitating and starting charter schools is a significant portion of
24 the organization's purpose.

25 (c) Subject to the availability of funding, the West Virginia Professional Charter School
26 Board shall distribute money from the Charter Schools Startup Fund to qualifying charter school
27 applicants and charter schools in the following manner:

28 (1) Each qualifying charter school applicant or charter school shall be awarded an initial
29 grant of up to \$300,000 during or before the first two years of the charter school's operation. If an
30 applicant for a charter school receives an initial grant pursuant to this paragraph and fails to begin
31 operating a charter school within the next 30 months, the applicant shall reimburse the West
32 Virginia Professional Charter School Board for the initial grant plus interest calculated at a
33 prorated rate of 10 percent a year: *Provided*, That the West Virginia Professional Charter School
34 Board may lengthen this 30-month time period in extenuating circumstances; and

35 (2) Applicants for charter schools and charter schools that received initial grants pursuant
36 to subdivision (1) of this subsection may apply to the West Virginia Professional Charter School
37 Board for an additional grant of up to \$100,000. If an applicant for a charter school receives an
38 additional grant pursuant to this paragraph and fails to begin operating a charter school within the
39 next 30 months, the applicant shall reimburse the West Virginia Professional Charter School
40 Board for the additional grant plus interest calculated at a prorated rate of 10 percent a year:
41 *Provided*, That the West Virginia Professional Charter School Board may lengthen this 30-month
42 time period in extenuating circumstances. A reimbursement required by this subdivision is in

43 addition to any reimbursement required by subdivision (1) of this subsection.

NOTE: The purpose of this bill is to create the Charter Schools Startup Fund for the purpose of providing financial support to charter school applicants and charter schools that may not otherwise have the resources for start-up costs.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.