

# **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]

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

(a) There is hereby created in the State Treasury a special revenue fund designated and known as the Charter Schools Startup Fund. The fund is established 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 such as costs associated with renovating or remodeling existing buildings and structures and costs for the purchase of school buses. The fund consists of money appropriated by the Legislature, grants, gifts, devises, and donations from any public or private source. All interest and other returns derived from the deposit and investment of money in the Charter Schools Startup Fund shall be credited to the fund. Any balance, including accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the General Revenue Fund, but shall remain in the fund and be expended as provided in this section. The West Virginia Professional Charter School Board shall administer the fund.

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

or demonstrate that it:

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

(A) Successfully apply to an authorizer; or

(B) Start a public charter school; and

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

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

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

(2) Applicants for charter schools and charter schools that received initial grants pursuant to subdivision (1) of this subsection may apply to the West Virginia Professional Charter School Board for an additional grant of up to \$100,000. If an applicant for a charter school receives an additional grant pursuant to this paragraph and fails to begin operating a charter school within the next 30 months, the applicant shall reimburse the West Virginia Professional Charter School Board for the additional grant plus interest calculated at a prorated rate of 10 percent a year: *Provided*, That the West Virginia Professional Charter School Board may lengthen this 30-month 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.