

**HOUSE . . . . . No. 3216**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Peter V. Kocot*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act supporting municipal fiscal stability through a special education stabilization fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>

**HOUSE . . . . . No. 3216**

By Mr. Kocot of Northampton, a petition (accompanied by bill, House, No. 3216) of Peter V. Kocot, John H. Rogers and Timothy R. Whelan for legislation to authorize school districts to establish a reserve fund for certain special education and transportation costs. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 424 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act supporting municipal fiscal stability through a special education stabilization fund.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 40 of the General Laws, as appearing in the 2008 Official Edition,  
2 is hereby amended by adding after section 13C the following section: Section 13D. Any school  
3 district which accepts the provisions of this section by majority vote of the school committee and  
4 acceptance by a majority vote of the legislative body or, in the case of a regional school district  
5 acceptance by majority vote of the legislative bodies in a majority of the member communities of  
6 the district may establish, and appropriate or transfer money to a reserve fund to be utilized in the  
7 upcoming fiscal year or years, to pay, without further appropriation, for unanticipated and/or  
8 unbudgeted costs of special education out of school district tuition and/or transportation. The  
9 balance in such separate stabilization fund shall not exceed 2% of the annual net school spending  
10 of the school district. The district treasurer may invest the monies in the manner authorized by

11 Section 54 of Chapter 44, and any interest earned thereon shall be credited to and become part of  
12 the fund. In the case of Regional School Districts, funds may be added to the special education  
13 stabilization fund only be appropriation in the annual budget voted at annual town meetings of  
14 member towns.