

116TH CONGRESS
2D SESSION

S. 4417

To provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2020

Ms. HIRONO (for herself, Mrs. GILLIBRAND, Ms. SMITH, Ms. BALDWIN, Mr. HEINRICH, Ms. HARRIS, Ms. KLOBUCHAR, and Mr. UDALL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Impact Aid Infrastruc-
5 ture Act”.

6 **SEC. 2. IMPACT AID CONSTRUCTION GRANTS AUTHORIZED.**

7 (a) FUNDING AND SUNSET.—

8 (1) AUTHORIZATION OF APPROPRIATIONS.—

9 There are authorized to be appropriated

1 \$1,000,000,000 for fiscal year 2022 to carry out
2 this Act.

3 (2) SUPPLEMENTAL FUNDING.—The amount
4 authorized under paragraph (1) shall be in addition
5 to any amounts authorized to be appropriated or
6 otherwise made available to carry out section 7007
7 of the Elementary and Secondary Education Act of
8 1965 (20 U.S.C. 7707).

9 (3) AVAILABILITY OF FUNDS.—Any amounts
10 appropriated under paragraph (1) shall remain
11 available until expended.

12 (4) SUNSET.—The authority to award grants
13 under this Act shall expire at the end of the 3-year
14 period beginning on the date on which funds are
15 first made available to award a grant under this Act.

16 (b) RESERVATION FOR MANAGEMENT AND OVER-
17 SIGHT.—From the funds appropriated under subsection
18 (a)(1), the Secretary of Education may reserve not more
19 than half of 1 percent for management and oversight of
20 the activities carried out with those funds.

21 (c) FORMULA GRANTS.—

22 (1) IN GENERAL.—From 40 percent of the
23 funds appropriated under subsection (a)(1) and not
24 reserved under subsection (b), the Secretary of Edu-
25 cation shall make payments in accordance with sec-

tion 7007(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)).

(2) SPECIAL RULE.—The Secretary of Education when calculating the total number of weighted student units as described in paragraph (3)(A)(i)(II) of section 7007(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)) shall include the total number of weighted student units of children described in subparagraphs (B) and (D)(i) of section 7003(a)(1) of such Act for all local educational agencies not meeting the requirements as described in section 7007(a)(2)(B) of such Act but that meet the requirements of section 572(a)(2) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b).

(d) COMPETITIVE GRANTS.—From 60 percent of the funds appropriated under subsection (a)(1) and not reserved under subsection (b), the Secretary of Education—

(1) shall award emergency grants in accordance with section 7007(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(b)), except as otherwise provided in this Act; and

(2) may award modernization grants in accordance with section 7007(b) of the Elementary and

1 Secondary Education Act of 1965 (20 U.S.C.
2 7707(b)), except as otherwise provided in this Act.

3 **SEC. 3. ELIGIBILITY.**

4 (a) **ELIGIBILITY FOR EMERGENCY GRANTS.**—

5 (1) **IN GENERAL.**—For purposes of receiving an
6 emergency grant under section 2(d)(1), in addition
7 to a local educational agency that meets the eligi-
8 bility requirements for the award of such a grant
9 under any of subparagraph (A), (C), or (D) of sec-
10 tion 7007(b)(3) of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 7707(b)(3)), a
12 local educational agency that meets the requirements
13 described in paragraph (2) (without regard to
14 whether the agency meets any of the requirements
15 of such subparagraph (A), (C), or (D)), shall be eli-
16 gible for such a grant.

17 (2) **REQUIREMENTS.**—A local educational agen-
18 cy meets the requirements of this paragraph, if such
19 agency has—

20 (A) a total taxable assessed value of real
21 property that may be taxed for school purposes
22 of less than \$100,000,000; or

23 (B) an assessed value of real property per
24 student that may be taxed for school purposes
25 that is less than the average of the assessed

1 value of real property per student that may be
 2 taxed for school purposes in the State in which
 3 the local educational agency is located.

4 (b) ELIGIBILITY FOR MODERNIZATION GRANTS.—

5 (1) IN GENERAL.—For purposes of receiving a
 6 modernization grant under section 2(d)(2), in addi-
 7 tion to a local educational agency that meets the eli-
 8 gibility requirements for the award of such a grant
 9 under any of subparagraph (B), (C), or (D) of sec-
 10 tion 7007(b)(3) of the Elementary and Secondary
 11 Education Act of 1965 (20 U.S.C. 7707(b)(3)), a
 12 local educational agency that meets the requirements
 13 described in paragraph (2) (without regard to
 14 whether the agency meets any of the requirements
 15 of such subparagraph (B), (C), or (D)), shall be eli-
 16 gible for such a grant.

17 (2) REQUIREMENTS.—A local educational agen-
 18 cy meets the requirements of this paragraph, if such
 19 agency has—

20 (A) a total taxable assessed value of real
 21 property that may be taxed for school purposes
 22 of less than \$100,000,000; or

23 (B) an assessed value of real property per
 24 student that may be taxed for school purposes
 25 that is less than the average of the assessed

1 value of real property per student that may be
2 taxed for school purposes in the State in which
3 the local educational agency is located.

4 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
5 this section, the term “local educational agency” has the
6 meaning given the term in section 7013 of the Elementary
7 and Secondary Education Act of 1965 (20 U.S.C. 7713).

8 **SEC. 4. INAPPLICABILITY OF CERTAIN PROVISIONS.**

9 Clauses (i) and (vi) of section 7007(b)(5)(A) of the
10 Elementary and Secondary Education Act of 1965 (20
11 U.S.C. 7707(b)(5)(A)) shall not apply to grants made
12 under section 2(d).

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