

## ACT 52

S.B. NO. 3092

A Bill for an Act Making an Emergency Appropriation to the Department of Education for Charter Schools.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with article VII, section 9, of the Constitution of the State of Hawaii.

SECTION 2. The legislature finds that the department of education is required pursuant to chapter 302D, Hawaii Revised Statutes, to provide proportional funding to charter schools based on their student enrollment. While the overall enrollment for the department of education has increased for the 2023-2024 school year, the growth rate for public charter schools has grown even faster, at four per cent higher than projected. One factor that explains the sudden increased public charter school enrollment is the growing need for temporary school options in Lahaina as a result of the destruction caused by the devastating August 2023 Maui wildfire. As a result of the increased charter school enrollment, the amount of funding for charter schools is less than what is required.

Therefore, the purpose of this Act is to make an emergency appropriation to the department of education to cover its funding requirements for charter schools.

SECTION 3. In accordance with section 9 of article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the general fund expenditure ceiling for fiscal year 2023-2024 has already been exceeded by \$1,033,839,854 or ten per cent. The appropriations contained in this Act will cause the state general fund expenditure ceiling for fiscal year 2023-2024 to be further exceeded by \$6,600,000 or one per cent. This declaration takes into account the additional general fund appropriation(s) authorized for fiscal year 2023-2024 in this Act only. The reasons for exceeding the general fund expenditure ceiling are that:

- (1) The appropriations made in this Act are necessary to serve the public interest; and
- (2) The appropriations made in this Act meet the needs addressed by this Act.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,600,000 or so much thereof as may be necessary for fiscal year 2023-2024 for the department of education to provide funding for charter schools.

The sum appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 19, 2024.)