

monies that would have otherwise gone to the general fund being used to ensure school districts received no less than received in the previous year.

5. HB 2244, effective July 1, 2015, deleted the hold harmless provision. However, §1104(B)(2)(a) which was not amended in HB 2244, directs that each district "shall receive the same amount of funds as such district received in the corresponding month of the preceding year.

The statute directs apportionment of Motor Vehicle collections to school districts as follows:

a. except as otherwise provided in this subparagraph, each district shall receive the same amount of funds as such district received from the taxes and fees provided in this title in the corresponding month of the preceding year. Any district eligible for funds pursuant to the provisions of this section that was not eligible the preceding year shall receive an amount equal to the average daily attendance of the applicable year multiplied by the average daily attendance apportionment within such county for each appropriate month. For fiscal year 1995 and thereafter, any district which received less than twenty-five percent (25%) of the average apportionment of the monies made to school districts in this state based on average daily attendance in fiscal year 1995 shall receive an amount equal to the average daily attendance in the 1994-1995 school year multiplied by the average daily attendance apportionment within the county in which the district is located for each appropriate month, and

b. any funds remaining unallocated following the allocation provided in subparagraph a of this paragraph shall be apportioned to the various school districts so that each district shall first receive the cumulative total of the monthly apportionments for which it is otherwise eligible under subparagraph a of this paragraph and then an amount based upon the proportion that each district's average daily attendance bears to the total average daily attendance of those districts entitled to receive funds pursuant to this section as certified by the State Department of Education.

6. Subsequent to July 1, 2015, if the amount of Motor Vehicle Collections to be apportioned is equal to or greater than the amount apportioned in the corresponding month of the previous fiscal year, monies are being apportioned to individual school districts as follows:

a. The same amount that was allocated to each school district in the corresponding month of the previous year under the provisions of §1104(B)(2)(a), and

- b. If any amounts remain, allocate the remaining to each school district based on the proportion that district's average daily attendance bears to the total average daily attendance of all districts under the provisions of §1104(B)(2)(b).

7. Subsequent to July 1, 2015, if the amount of Motor Vehicle Collections to be apportioned is less than the amount apportioned in the corresponding month of the previous fiscal year, monies are being apportioned to individual school districts as follows:

- a. No amounts under provisions of §1104(B)(2)(a) as insufficient monies exist for each school district to receive the same amount of funds as such district received in the corresponding month of the preceding year, and
- b. All amounts will be allocated to the school districts based on the proportion that district's average daily attendance bears to the total average daily attendance of all districts under the provisions of §1104(B)(2)(b).

8. For the months of September 2015 and December 2015, Division apportioned Motor Vehicle collections to school districts pursuant to paragraph 6 above. For all other months subsequent to July 1, 2015, Division has apportioned Motor Vehicle collections to school districts pursuant to paragraph 7 above.

9. For the months of September 2015 and December 2015, Petitioner received more money than Petitioner received in the corresponding months of the previous year. For all of the other months, Petitioner received less money than Petitioner received in the corresponding months of the previous year.

10. For the months Division apportioned Motor Vehicle collections to school districts pursuant to paragraph 7 above, some school districts, like Petitioner, received less money than

received in the corresponding months of the previous year and other school districts received more money than received in the corresponding months of the previous year.

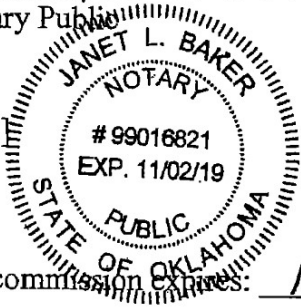
This completes my affidavit.

Jennelle Enevoldsen
Jennelle Enevoldsen

Subscribed and sworn before me
this 1st day of April, 2016.

Janet L. Baker
Notary Public

[seal]



My commission expires: 11/2/19