

[1.] (I) The county governing body shall levy an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the [product of the wealth of the county and a local contribution rate determined for each fiscal year] LOCAL SHARE OF THE FOUNDATION PROGRAM; and

[2.] (II) The county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the [enrollment] COUNTY'S FULL-TIME EQUIVALENT ENROLLMENT for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

[(iii) 1.] (2) Except as provided in [sub-subparagraph 2 of this subparagraph] PARAGRAPH (3) OF THIS SUBSECTION, for purposes of this [paragraph] SUBSECTION, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the [enrollment for the prior fiscal year] COUNTY'S FULL-TIME EQUIVALENT ENROLLMENT FOR THE PRIOR FISCAL YEAR. For example, the calculation of the [current expense] FOUNDATION aid for fiscal year [1985] 2003 shall be based on the highest local appropriation for the school operating budget for a county for fiscal year [1984] 2002. Program shifts between a county operating budget and a county school operating budget may not be used to artificially satisfy the requirements of this paragraph.

[2.] (3) For purposes of this [paragraph] SUBSECTION, for fiscal year 1997 and each subsequent fiscal year, the calculation of the county's highest local appropriation to its school operating budget for the prior fiscal year shall exclude:

[A.] (I) A nonrecurring cost that is supplemental to the regular school operating budget, if the exclusion qualifies under regulations adopted by the State Board; and

[B.] (II) A cost of a program that has been shifted from the county school operating budget to the county operating budget.

[ 3.] (4) The county board must present satisfactory evidence to the county government that any appropriation under [sub-subparagraph 2 A of this subparagraph] PARAGRAPH (3)(I) OF THIS SUBSECTION is used only for the purpose designated by the county government in its request for approval.

[4.] (5) Any appropriation that is not excluded under [sub-subparagraph 2 A of this subparagraph] PARAGRAPH (3)(I) OF THIS SUBSECTION as a qualifying nonrecurring cost shall be included in calculating the county's highest local appropriation to its school operating budget.

[5.] (6) Qualifying nonrecurring costs, as defined in regulations adopted by the State Board, shall include but are not limited to:

[A.] (I) Computer laboratories;

[B.] (II) Technology enhancement;