

**HOUSE BILL No. 2445**

By Representative Rooker

1-5

Proposed Amendments to  
House Bill No. 2445 #18  
K-12 Education Budget Committee  
Prepared by: Jason Long  
Office of Revisor of Statutes

1 AN ACT concerning education; relating to the financing thereof; relating  
2 to the Kansas school equity and enhancement act; amending K.S.A.  
3 2017 Supp. 72-5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149,  
4 72-5150, 72-5151, 72-5155, 72-53,113 and 72-53,116 and repealing the  
5 existing sections; also repealing K.S.A. 2017 Supp. 72-1171, 72-6463,  
6 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469, 72-6470, 72-  
7 6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-6478, 72-  
8 6479, 72-6480 and 72-6481.

72-5144,

9  
10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. K.S.A. 2017 Supp. 72-5132 is hereby amended to read as  
12 follows: 72-5132. As used in the Kansas school equity and enhancement  
13 act, K.S.A. 2017 Supp. 72-5131 et seq., and amendments thereto:

14 (a) "Adjusted enrollment" means the enrollment of a school district  
15 adjusted by adding the following weightings, if any, to the enrollment of a  
16 school district: At-risk student weighting; bilingual weighting; career  
17 technical education weighting; ~~deeming enrollment weighting~~; high-  
18 density at-risk student weighting; high enrollment weighting; low  
19 enrollment weighting; school facilities weighting; ancillary school  
20 facilities weighting; cost-of-living weighting; special education and related  
21 services weighting; and transportation weighting.

22 (b) "Ancillary school facilities weighting" means an addend  
23 component assigned to the enrollment of school districts pursuant to  
24 K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs  
25 attributable to commencing operation of one or more new school facilities  
26 by such school districts.

27 (c) (1) "At-risk student" means a student who is eligible for free  
28 meals under the national school lunch act, and who is enrolled in a school  
29 district that maintains an approved at-risk student assistance program.

30 (2) The term "at-risk student" shall not include any student enrolled  
31 in any of the grades one through 12 who is in attendance less than full  
32 time, or any student who is over 19 years of age. The provisions of this  
33 paragraph shall not apply to any student who has an individualized  
34 education program.

35 (d) "At-risk student weighting" means an addend component assigned  
36 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-

1 5151(a), and amendments thereto, on the basis of costs attributable to the  
2 maintenance of at-risk educational programs by such school districts.

3 (e) "Base aid for student excellence" or "BASE aid" means an amount  
4 appropriated by the legislature in a fiscal year for the designated year. The  
5 amount of BASE aid shall be as follows:

\$5,160

6 (1) For school year 2017-2018, \$4,006;

7 (2) for school year 2018-2019, ~~\$4,128~~, and

8 (3) for school year 2019-2020, and each school year thereafter, the  
9 BASE aid shall be the BASE aid amount for the immediately preceding  
10 school year plus an amount equal to the average percentage increase in the  
11 consumer price index for all urban consumers in the midwest region as  
12 published by the bureau of labor statistics of the United States department  
13 of labor during the three immediately preceding school years.

14 (f) "Bilingual weighting" means an addend component assigned to  
15 the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150,  
16 and amendments thereto, on the basis of costs attributable to the  
17 maintenance of bilingual educational programs by such school districts.

18 (g) "Board" means the board of education of a school district.

19 (h) "Budget per student" means the general fund budget of a school  
20 district divided by the enrollment of the school district.

21 (i) "Categorical fund" means and includes the following funds of a  
22 school district: Adult education fund; adult supplementary education fund;  
23 at-risk education fund; bilingual education fund; career and postsecondary  
24 education fund; driver training fund; educational excellence grant program  
25 fund; extraordinary school program fund; food service fund; parent  
26 education program fund; preschool-aged at-risk education fund;  
27 professional development fund; special education fund; and summer  
28 program fund.

29 (j) "Cost-of-living weighting" means an addend component assigned  
30 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-  
31 5159, and amendments thereto, on the basis of costs attributable to the cost  
32 of living in such school districts.

33 (k) "Current school year" means the school year during which state  
34 foundation aid is determined by the state board under K.S.A. 2017 Supp.  
35 72-5134, and amendments thereto.

36 ~~(l) "Declining enrollment weighting" means an addend component~~  
37 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017-~~  
38 ~~Supp. 72-5160, and amendments thereto, on the basis of costs attributable~~  
39 ~~to the declining enrollment of such school districts.~~

40 ~~(m) (l) "Enrollment" means:~~

41 (1) The number of students regularly enrolled in kindergarten and  
42 grades one through 12 in the school district on September 20 of the  
43 preceding school year plus the number of preschool-aged at-risk students

1 regularly enrolled in the school district on September 20 of the current  
2 school year, except a student who is a foreign exchange student shall not  
3 be counted unless such student is regularly enrolled in the school district  
4 on September 20 and attending kindergarten or any of the grades one  
5 through 12 maintained by the school district for at least one semester or  
6 two quarters, or the equivalent thereof.

7 (2) If the enrollment in a school district in the preceding school year  
8 has decreased from enrollment in the second preceding school year, the  
9 enrollment of the school district in the current school year means the sum  
10 of:

11 (A) The enrollment in the second preceding school year, excluding  
12 students under paragraph (2)(B), minus enrollment in the preceding school  
13 year of preschool-aged at-risk students, if any, plus enrollment in the  
14 current school year of preschool-aged at-risk students, if any; and

15 (B) the adjusted enrollment in the second preceding school year of  
16 any students participating in the tax credit for low income students  
17 scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and  
18 amendments thereto, in the preceding school year, if any, plus the adjusted  
19 enrollment in the preceding school year of preschool-aged at-risk students  
20 who are participating in the tax credit for low income students scholarship  
21 program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments  
22 thereto, in the current school year, if any.

23 (3) For any school district that has a military student, as that term is  
24 defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled  
25 in such district, and that received federal impact aid for the preceding  
26 school year, if the enrollment in such school district in the preceding  
27 school year has decreased from enrollment in the second preceding school  
28 year, the enrollment of the school district in the current school year means  
29 whichever is the greater of:

30 (A) The enrollment determined under subsection (m)(2); or  
31 (B) the sum of the enrollment in the preceding school year of  
32 preschool-aged at-risk students, if any, and the arithmetic mean of the sum  
33 of:

34 (i) The enrollment of the school district in the preceding school year  
35 minus the enrollment in such school year of preschool-aged at-risk  
36 students, if any;

37 (ii) the enrollment in the second preceding school year minus the  
38 enrollment in such school year of preschool-aged at-risk students, if any;  
39 and

40 (iii) the enrollment in the third preceding school year minus the  
41 enrollment in such school year of preschool-aged at-risk students, if any.

42 ~~(4) (A) For school year 2017-2018, the enrollment determined under~~  
43 ~~paragraph (1), (2) or (3), except if the school district offers kindergarten on~~

1 ~~a full-time basis in such school year, students regularly enrolled in~~  
2 ~~kindergarten in the school district in the preceding school year shall be~~  
3 ~~counted as one student regardless of actual attendance during such~~  
4 ~~preceding school year.~~

5 ~~(B) For school year 2018-2019 and each school year thereafter, The~~  
6 ~~enrollment determined under paragraph (1), (2) or (3), except if the school~~  
7 ~~district begins to offer kindergarten on a full-time basis in such school~~  
8 ~~year, students regularly enrolled in kindergarten in the school district in the~~  
9 ~~preceding school year shall be counted as one student regardless of actual~~  
10 ~~attendance during such preceding school year.~~

11 ~~(H) (m) "February 20" has its usual meaning, except that in any year~~  
12 ~~in which February 20 is not a day on which school is maintained, it means~~  
13 ~~the first day after February 20 on which school is maintained.~~

14 ~~(H) (n) "Federal impact aid" means an amount equal to the federally~~  
15 ~~qualified percentage of the amount of moneys a school district receives in~~  
16 ~~the current school year under the provisions of title I of public law 874 and~~  
17 ~~congressional appropriations therefor, excluding amounts received for~~  
18 ~~assistance in cases of major disaster and amounts received under the low-~~  
19 ~~rent housing program. The amount of federal impact aid shall be~~  
20 ~~determined by the state board in accordance with terms and conditions~~  
21 ~~imposed under the provisions of the public law and rules and regulations~~  
22 ~~thereunder.~~

23 ~~(H) (o) "General fund" means the fund of a school district from which~~  
24 ~~operating expenses are paid and in which is deposited all amounts of state~~  
25 ~~foundation aid provided under this act, payments under K.S.A. 2017 Supp.~~  
26 ~~72-528, and amendments thereto, payments of federal funds made~~  
27 ~~available under the provisions of title I of public law 874, except amounts~~  
28 ~~received for assistance in cases of major disaster and amounts received~~  
29 ~~under the low-rent housing program and such other moneys as are~~  
30 ~~provided by law.~~

31 ~~(H) (p) "General fund budget" means the amount budgeted for~~  
32 ~~operating expenses in the general fund of a school district.~~

33 ~~(H) (q) "High-density at-risk student weighting" means an addend~~  
34 ~~component assigned to the enrollment of school districts pursuant to~~  
35 ~~K.S.A. 2017 Supp. 72-511(b), and amendments thereto, on the basis of~~  
36 ~~costs attributable to the maintenance of at-risk educational programs by~~  
37 ~~such school districts.~~

38 ~~(H) (r) "High enrollment weighting" means an addend component~~  
39 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017~~  
40 ~~Supp. 72-5149(b), and amendments thereto, on the basis of costs~~  
41 ~~attributable to maintenance of educational programs by such school~~  
42 ~~districts.~~

43 ~~(H) (s) "Juvenile detention facility" means the same as such term is~~

1 defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.  
2 ~~(4)~~ *(t)* "Local foundation aid" means the sum of the following  
3 amounts:

4 (1) ~~(1)~~ An amount equal to any unexpended and unencumbered balance  
5 remaining in the general fund of the school district, except moneys  
6 received by the school district and authorized to be expended for the  
7 purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments  
8 thereto;

9 ~~(2)~~ an amount equal to any remaining proceeds from taxes levied  
10 under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto,  
11 prior to their repeal;

12 ~~(3)~~ an amount equal to the amount deposited in the general fund in  
13 the current school year from moneys received in such school year by the  
14 school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and  
15 amendments thereto;

16 ~~(4)~~ an amount equal to the amount deposited in the general fund in  
17 the current school year from moneys received in such school year by the  
18 school district pursuant to contracts made and entered into under authority  
19 of K.S.A. 2017 Supp. 72-3125, and amendments thereto;

20 ~~(5)~~ an amount equal to the amount credited to the general fund in the  
21 current school year from moneys distributed in such school year to the  
22 school district under the provisions of articles 17 and 34 of chapter 12 of  
23 the Kansas Statutes Annotated, and amendments thereto, and under the  
24 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes  
25 Annotated, and amendments thereto;

26 ~~(6)~~ an amount equal to the amount of payments received by the  
27 school district under the provisions of K.S.A. 2017 Supp. 72-3423, and  
28 amendments thereto;

29 ~~(7)~~ an amount equal to the amount of any grant received by the  
30 school district under the provisions of K.S.A. 2017 Supp. 72-3425, and  
31 amendments thereto; and

32 ~~(8)~~ an amount equal to 70% of the federal impact aid of the school  
33 district.

34 ~~(9)~~ *(u)* "Low enrollment weighting" means an addend component  
35 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
36 Supp. 72-5149(a), and amendments thereto, on the basis of costs  
37 attributable to maintenance of educational programs by such school  
38 districts.

39 ~~(10)~~ *(v)* "Operating expenses" means the total expenditures and lawful  
40 transfers from the general fund of a school district during a school year for  
41 all purposes, except expenditures for the purposes specified in K.S.A.  
42 2017 Supp. 72-5168, and amendments thereto.

43 ~~(11)~~ *(w)* "Preceding school year" means the school year immediately

The amount of the proceeds from the tax levied under the authority  
of K.S.A. 2017 Supp. 72-5147, and amendments thereto, that is  
levied to finance that portion of the school district's local option  
budget that is required pursuant to K.S.A. 2017 Supp. 72-5143(a),  
and amendments thereto, and not financed from any other source  
provided by law;

(2) an amount equal to that portion of the school district's  
supplemental state aid determined pursuant to K.S.A. 2017 Supp.  
72-5145, and amendments thereto, to equalize that portion of the  
school district's local option budget that is required pursuant to  
K.S.A. 2017 Supp. 72-5143, and amendments thereto, and not  
financed from any other source provided by law;

(3)

1 before the current school year.  
2 ~~(y)~~ (x) "Preschool-aged at-risk student" means an at-risk student who  
3 has attained the age of four years, is under the age of eligibility for  
4 attendance at kindergarten, and has been selected by the state board in  
5 accordance with guidelines governing the selection of students for  
6 participation in head start programs.  
7 ~~(z)~~ (y) "Preschool-aged exceptional children" means exceptional  
8 children, except gifted children, who have attained the age of three years  
9 but are under the age of eligibility for attendance at kindergarten. The  
10 terms "exceptional children" and "gifted children" have the same meaning  
11 as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments  
12 thereto.  
13 ~~(aa)~~ (z) "Psychiatric residential treatment facility" means the same as  
14 such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments  
15 thereto.  
16 ~~(ab)~~ (aa) "School district" means a school district organized under the  
17 laws of this state that is maintaining public school for a school term in  
18 accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and  
19 amendments thereto.  
20 ~~(ac)~~ (bb) "School facilities weighting" means an added component  
21 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
22 Supp. 72-5156, and amendments thereto, on the basis of costs attributable  
23 to commencing operation of one or more new school facilities by such  
24 school districts.  
25 ~~(ad)~~ (cc) "School year" means the 12-month period ending June 30.  
26 ~~(ae)~~ (dd) "September 20" has its usual meaning, except that in any  
27 year in which September 20 is not a day on which school is maintained, it  
28 means the first day after September 20 on which school is maintained.  
29 ~~(af)~~ (ee) "Special education and related services weighting" means an  
30 addend component assigned to the enrollment of school districts pursuant  
31 to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of  
32 costs attributable to the maintenance of special education and related  
33 services by such school districts.  
34 ~~(ag)~~ (ff) "State board" means the state board of education.  
35 ~~(ah)~~ (gg) "State foundation aid" means the amount of aid distributed  
36 to a school district as determined by the state board pursuant to K.S.A.  
37 2017 Supp. 72-5134, and amendments thereto.  
38 ~~(ai)~~ (hh) (1) "Student" means any person who is regularly enrolled in  
39 a school district and attending kindergarten or any of the grades one  
40 through 12 maintained by the school district or who is regularly enrolled in  
41 a school district and attending kindergarten or any of the grades one  
42 through 12 in another school district in accordance with an agreement  
43 entered into under authority of K.S.A. 2017 Supp. 72-13,101, and

1 amendments thereto, or who is regularly enrolled in a school district and  
2 attending special education services provided for preschool-aged  
3 exceptional children by the school district.

4 (2) (A) Except as otherwise provided in this subsection, the following  
5 shall be counted as one student:

6 (i) A student in attendance full-time; and

7 (ii) a student enrolled in a school district and attending special  
8 education and related services, provided for by the school district.

9 (B) The following shall be counted as  $\frac{1}{2}$  student:

10 (i) A student enrolled in a school district and attending special  
11 education and related services for preschool-aged exceptional children  
12 provided for by the school district; and

13 (ii) a preschool-aged at-risk student enrolled in a school district and  
14 receiving services under an approved at-risk student assistance plan  
15 maintained by the school district.

16 (C) A student in attendance part-time shall be counted as that  
17 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
18 bears to full-time attendance.

19 (D) A student enrolled in and attending an institution of  
20 postsecondary education that is authorized under the laws of this state to  
21 award academic degrees shall be counted as one student if the student's  
22 postsecondary education enrollment and attendance together with the  
23 student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time,  
24 otherwise the student shall be counted as that proportion of one student (to  
25 the nearest  $\frac{1}{10}$ ) that the total time of the student's postsecondary education  
26 attendance and attendance in grades 11 or 12, as applicable, bears to full-  
27 time attendance.

28 (E) A student enrolled in and attending a technical college, a career  
29 technical education program of a community college or other approved  
30 career technical education program shall be counted as one student, if the  
31 student's career technical education attendance together with the student's  
32 attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise  
33 the student shall be counted as that proportion of one student (to the  
34 nearest  $\frac{1}{10}$ ) that the total time of the student's career technical education  
35 attendance and attendance in any of grades nine through 12 bears to full-  
36 time attendance.

37 (F) A student enrolled in a school district and attending a non-virtual  
38 school and also attending a virtual school shall be counted as that  
39 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
40 at the non-virtual school bears to full-time attendance.

41 (G) A student enrolled in a school district and attending special  
42 education and related services provided for by the school district and also  
43 attending a virtual school shall be counted as that proportion of one

1 student (to the nearest  $\frac{1}{10}$ ) that the student's attendance at the non-virtual  
2 school bears to full-time attendance.

3 (H) (i) Except as provided in clause (ii), a student enrolled in a school  
4 district who is not a resident of Kansas shall be counted as follows:

5 (a) For school years 2017-2018 and 2018-2019, one student;

6 (b) for school year 2019-2020 and 2020-2021,  $\frac{3}{4}$  of a student; and

7 (c) for school year 2021-2022 and each school year thereafter,  $\frac{1}{2}$  of a  
8 student.

9 (ii) This subparagraph (H) shall not apply to:

10 (a) A student whose parent or legal guardian is an employee of the  
11 school district where such student is enrolled; or

12 (b) a student who attended public school in Kansas during school  
13 year 2016-2017 and who attended public school in Kansas during the  
14 immediately preceding school year.

15 (3) The following shall not be counted as a student:

16 (A) An individual residing at the Flint Hills job corps center;

17 (B) except as provided in subsection (ii)(2), an individual confined in  
18 and receiving educational services provided for by a school district at a  
19 juvenile detention facility; and

20 (C) an individual enrolled in a school district but housed, maintained  
21 and receiving educational services at a state institution or a psychiatric  
22 residential treatment facility.

23 (4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et  
24 seq., and amendments thereto, shall be counted in accordance with the  
25 provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.

26 ~~(ff)~~ (ii) "Total foundation aid" means an amount equal to the product  
27 obtained by multiplying the BASE aid by the adjusted enrollment of a  
28 school district.

29 ~~(kk)~~ (jj) "Transportation weighting" means an addend component  
30 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
31 Supp. 72-5148, and amendments thereto, on the basis of costs attributable  
32 to the provision or furnishing of transportation.

33 ~~(ll)~~ (kk) "Virtual school" means the same as such term is defined in  
34 K.S.A. 2017 Supp. 72-3712, and amendments thereto.

35 Sec. 2. K.S.A. 2017 Supp. 72-5133 is hereby amended to read as  
36 follows: 72-5133. (a) The state school district finance fund, established by  
37 K.S.A. 1991 Supp. 72-7081, prior to its repeal, is hereby continued in  
38 existence and shall consist of: (1) All moneys credited to such fund under  
39 K.S.A. 2017 Supp. 72-6463 through 72-6481, prior to ~~their expiration July~~  
40 ~~1, 2017~~, and (2) all amounts transferred to such fund under K.S.A. 2017  
41 Supp. 72-5136, 72-5142, 72-5143, 72-5158, 72-5159 and 72-5160, and  
42 amendments thereto.

43 (b) The state school district finance fund shall be used for the purpose



1 of school district finance and for no other governmental purpose. It is the  
2 intent of the legislature that the fund shall remain intact and inviolate for  
3 such purpose, and moneys in the fund shall not be subject to the provisions  
4 of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

5 (c) Amounts in the state school district finance fund shall be allocated  
6 and distributed to school districts as a portion of state foundation aid  
7 provided for under this act.

8 Sec. 3. K.S.A. 2017 Supp. 72-5143 is hereby amended to read as  
9 follows: 72-5143. (a) In each school year, the board of education of a  
10 school district ~~may adopt, by resolution, a local option budget that does~~  
11 ~~not exceed the state prescribed percentage.~~

12 (b) ~~Subject to the limitations of subsection (a), in each school year,~~  
13 the board of education of a school district may adopt, by resolution, a local  
14 option budget in an amount that does not exceed:

15 (1) ~~The amount that the board was authorized to adopt under any~~  
16 ~~resolution adopted pursuant to K.S.A. 2017 Supp. 72-6471, prior to its~~  
17 ~~expiration; or~~

18 (2) ~~the state-wide statewide average for the preceding school year as~~  
19 ~~determined by the state board pursuant to subsection (f).~~ (f) The adoption  
20 of a resolution pursuant to this section shall require a majority vote of the  
21 members of the board. Such resolution shall be effective upon adoption  
22 and shall require no other procedure, authorization or approval.

23 (c) If the board of a school district desires to ~~increase its~~ local option  
24 budget authority above the amount authorized under subsection (b), the  
25 board may adopt, by resolution, such budget in an amount not to exceed  
26 the state prescribed percentage. The adoption of a resolution pursuant to  
27 this subsection shall require a majority vote of the members of the board.  
28 The resolution shall be published at least once in a newspaper having  
29 general circulation in the school district. The resolution shall be published  
30 in substantial compliance with the following form:  
31 Unified School District No. \_\_\_\_\_,  
32 \_\_\_\_\_ County, Kansas.

33 RESOLUTION \_\_\_\_\_

34 Be It Resolved that:

35 The board of education of the above-named school district shall be  
36 authorized to adopt a local option budget in each school year in an amount  
37 not to exceed \_\_\_\_\_ % of the amount of total foundation aid. The local  
38 option budget authorized by this resolution may be adopted, unless a  
39 petition in opposition to the same, signed by not less than 5% 10% of the  
40 qualified electors of the school district, is filed with the county election  
41 officer of the home county of the school district within 30 40 days after  
42 publication of this resolution. If a petition is filed, the county election  
43 officer shall submit the question of whether adoption of the local option

shall

equal to 20% of the school district's total foundation aid

If

desires local option budget authority above the amount required under subsection (a), the board

26.1% of the school district's total foundation aid

1 budget shall be authorized to the electors of the school district at an  
2 election called for the purpose or at the next general election, as is  
3 specified by the board of education of the school district.

4 CERTIFICATE

5 This is to certify that the above resolution was duly adopted by the  
6 board of education of unified school district No. \_\_\_\_\_, \_\_\_\_\_ County,  
7 Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

8 \_\_\_\_\_  
9 Clerk of the board of education.

10 All of the blanks in the resolution shall be filled appropriately. If a  
11 sufficient petition is not filed, the board may adopt a local option budget.  
12 If a sufficient petition is filed, the board may notify the county election  
13 officer of the date of an election to be held to submit the question of  
14 whether adoption of a local option budget shall be authorized. Any such  
15 election shall be noticed, called and held in the manner provided by K.S.A.  
16 10-120, and amendments thereto. If the board fails to notify the county  
17 election officer within 30 days after a sufficient petition is filed, the  
18 resolution shall be deemed abandoned and no like resolution shall be  
19 adopted by the board within the nine months following publication of the  
20 resolution.

21 (d) Unless specifically stated otherwise in the resolution, the authority  
22 to adopt a local option budget shall be continuous and permanent. ~~The  
23 board of any school district that is authorized to adopt a local option  
24 budget may choose not to adopt such a budget or may adopt a budget in an  
25 amount less than the amount authorized. If the board of any school district  
26 whose authority to adopt a local option budget is not continuous and  
27 permanent refrains from adopting a local option budget, the authority of  
28 such school district to adopt a local option budget shall not be extended by  
29 such reaffirmation beyond the period specified in the resolution authorizing  
30 adoption of such budget.~~

31 (e) The board of any school district may initiate procedures to renew  
32 or increase the authority to adopt a local option budget at any time during  
33 a school year after the tax levied pursuant to K.S.A. 2017 Supp. 72-5147,  
34 and amendments thereto, is certified to the county clerk under any existing  
35 authorization.

36 (f) (1) ~~Except as provided in paragraph (2), the board of any school~~  
37 ~~district authorized to adopt a local option budget prior to July 1, 2017,~~  
38 ~~under a resolution that authorized the adoption of such budget in~~  
39 ~~accordance with the provisions of K.S.A. 2017 Supp. 72-6471, prior to its~~  
40 ~~expiration July 1, 2017, may continue to operate under such resolution for~~  
41 ~~the period of time specified in the resolution or may abandon the~~  
42 ~~resolution and operate under the provisions of this section. Any such~~  
43 ~~school district shall operate under the provisions of this section after the~~

Strike in lines 22-30

if such resolution adopted a local option budget equal to or greater than the amount required in subsection (a),

1 period of time specified in any previously adopted resolution has expired.

2 *(2) Any resolution adopted prior to July 1, 2017, pursuant to K.S.A.*  
3 *72-6433(e)(2), prior to its repeal, that authorized the adoption of a local*  
4 *option budget and that was not subsequently submitted to and approved by*  
5 *a majority of the qualified electors of the school district voting at an*  
6 *election called and held thereon shall expire on June 30, 2018, and shall*  
7 *have no force and effect during school year 2018-2019 or any subsequent*  
8 *school year.*

9 *(g) Any resolution adopted pursuant to this section may revoke or*  
10 *repeal any resolution previously adopted by the board. If the resolution*  
11 *does not revoke or repeal previously adopted resolutions, all resolutions*  
12 *that are in effect shall expire on the same date. The maximum amount of*  
13 *the local option budget of a school district under all resolutions in effect*  
14 *shall not exceed the state prescribed percentage in any school year.*

15 *(h) The board of any school district that desires to increase its local*  
16 *option budget authority for the immediately succeeding school year shall*  
17 *submit written notice of such intent to the state board by April 1 of the*  
18 *current school year.*

19 ~~*(h) (i) (1) There is hereby established in each school district that*~~  
20 ~~*adopts a local option budget a supplemental general fund, which shall*~~  
21 ~~*consist of all amounts deposited therein or credited thereto according to*~~  
22 ~~*law.*~~

23 ~~*(2) Subject to the limitations imposed under subsection (h)(3),*~~  
24 ~~*amounts in the supplemental general fund may be expended for any*~~  
25 ~~*purpose for which expenditures from the general fund are authorized or*~~  
26 ~~*may be transferred to any categorical fund of the school district. Amounts*~~  
27 ~~*in the supplemental general fund attributable to any percentage over 25%*~~  
28 ~~*of total foundation aid determined for the current school year may be*~~  
29 ~~*transferred to the capital improvements fund of the school district and the*~~  
30 ~~*capital outlay fund of the school district if such transfers are specified in*~~  
31 ~~*the resolution authorizing the adoption of a local option budget in excess*~~  
32 ~~*of 25%.*~~

33 ~~*(3) Amounts in the supplemental general fund may not be expended*~~  
34 ~~*for the purpose of making payments under any lease-purchase agreement*~~  
35 ~~*involving the acquisition of land or buildings that is entered into pursuant*~~  
36 ~~*to the provisions of K.S.A. 2017 Supp. 72-1149, and amendments thereto.*~~

37 ~~*(4) (A) Except as provided in subsection (h)(4)(B), any*~~  
38 ~~*unexpended moneys remaining in the supplemental general fund of a*~~  
39 ~~*school district at the conclusion of any school year in which a local option*~~  
40 ~~*budget is adopted shall be maintained in such fund.*~~

41 ~~*(B) If the school district received supplemental state aid in the school*~~  
42 ~~*year, the state board shall determine the ratio of the amount of*~~  
43 ~~*supplemental general state aid received to the amount of the local option*~~

1 budget of the school district for the school year and multiply the total  
 2 amount of the unexpended moneys remaining by such ratio. An amount  
 3 equal to the amount of the product shall be transferred to the general fund  
 4 of the school district or remitted to the state treasurer in accordance with  
 5 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt  
 6 of any such remittance, the state treasurer shall deposit the same in the  
 7 state treasury to the credit of the state school district finance fund.

8 ~~(A) Each year, the state board shall determine the statewide average~~  
 9 ~~percentage of local option budgets legally adopted by school districts for~~  
 10 ~~the preceding school year.~~

11 ~~(f) The provisions of this section shall be subject to the provisions~~  
 12 ~~of K.S.A. 2017 Supp. 72-5144, and amendments thereto.~~

13 ~~(k) As used in this section:~~  
 14 (1) "Authorized to adopt a local option budget" means that a school  
 15 district has adopted a resolution pursuant to subsection (c).

16 (2) "State prescribed percentage" means 33% of the total foundation  
 17 aid of the school district in the current school year.

18 (3) "Total foundation aid" means the same as such term is defined in  
 19 K.S.A. 2017 Supp. 72-5132, and amendments thereto.

20 Sec. 4. K.S.A. 2017 Supp. 72-5145 is hereby amended to read as  
 21 follows: 72-5145. (a) In each school year, each school district that has  
 22 adopted a local option budget is eligible to receive supplemental state aid.  
 23 Except as provided by K.S.A. 2017 Supp. 72-5146, and amendments  
 24 thereto, supplemental state aid shall be determined by the state board as  
 25 provided in subsection (b).  
 26 (b) The state board shall:  
 27 (1) ~~(A) For school year 2017-2018, determine the amount of the~~  
 28 ~~assessed valuation per student in the preceding school year of each school~~  
 29 ~~district, and~~  
 30 ~~(B) for school year 2018-2019 and each school year thereafter,~~  
 31 Determine the average assessed valuation per student of each school  
 32 district by adding the assessed valuation per student for each of the three  
 33 immediately preceding school years and dividing the resulting sum by  
 34 three;  
 35 (2) rank the school districts from low to high on the basis of the  
 36 amounts of assessed valuation per student determined under subsection (b)  
 37 (1);  
 38 (3) identify the amount of the assessed valuation per student located  
 39 at the 81.2 percentile of the amounts ranked under subsection (b)(2);  
 40 (4) divide the assessed valuation per student of the school district as  
 41 determined under subsection (b)(1) by the amount identified under  
 42 subsection (b)(3); and  
 43 (5) (A) if the quotient obtained under subsection (b)(4) equals or

Strike in lines 8-10

29.1%

For purposes of determining the school district's local option budget under subsections (a), (b) and (c), , except the state aid for special education and related services shall be divided by an amount equal to 80% of the BASE aid amount, and the resulting quotient shall be used in determining the school district's total foundation aid

1 exceeds one, the school district shall not receive supplemental state aid; or  
2 (B) if the quotient obtained under subsection (b)(4) is less than one,  
3 subtract the quotient obtained under subsection (b)(4) from one, and  
4 multiply the difference by the amount of the local option budget of the  
5 school district ~~for the immediately preceding school year~~. The resulting  
6 product is the amount of supplemental state aid the school district is to  
7 receive for the school year.

8 (c) Payments of supplemental state aid shall be distributed to school  
9 districts on the dates prescribed by the state board. The state board shall  
10 certify to the director of accounts and reports the amount due each school  
11 district, and the director of accounts and reports shall draw a warrant on  
12 the state treasurer payable to the treasurer of the school district. Upon  
13 receipt of the warrant, the treasurer of the school district shall credit the  
14 amount thereof to the supplemental general fund of the school district to  
15 be used for the purposes of such fund.

16 (d) For the purposes of determining the total amount of state moneys  
17 paid to school districts, all moneys appropriated as supplemental state aid  
18 shall be deemed to be state moneys for educational and support services  
19 for school districts.

20 Sec. 5. K.S.A. 2017 Supp. 72-5148 is hereby amended to read as  
21 follows: 72-5148. (a) The transportation weighting of each school district  
22 shall be determined by the state board as follows:

23 (1) Determine the total expenditures of the school district during the  
24 preceding school year from all funds for transporting students of public  
25 and nonpublic schools on regular school routes;

26 (2) determine the sum of: (A) The number of students who were  
27 included in the enrollment of the school district in the preceding school  
28 year who resided less than 2½ miles by the usually traveled road from the  
29 school building such students attended and for whom transportation was  
30 made available by the school district; and (B) the number of nonresident  
31 students who were included in the enrollment of the school district for the  
32 preceding school year and for whom transportation was made available by  
33 the school district;

34 (3) determine the number of students who were included in the  
35 enrollment of the district in the preceding school year who resided 2½  
36 miles or more by the usually traveled road from the school building such  
37 students attended and for whom transportation was made available by the  
38 school district;

39 (4) multiply the number of students determined under subsection (a)  
40 (3) by 2.8;

41 (5) divide the amount determined under subsection (a)(2) by the  
42 product obtained under subsection (a)(4);

43 (6) add one to the quotient obtained under subsection (a)(5);

- 1 (7) multiply the sum obtained under subsection (a)(6) by the amount
- 2 determined under subsection (a)(3);
- 3 (8) divide the amount determined under subsection (a)(1) by the
- 4 product obtained under subsection (a)(7). The resulting quotient is the per-
- 5 student cost of transportation;
- 6 (9) on a density-cost graph, plot the per-student cost of transportation
- 7 for each school district;
- 8 (10) construct a curve of best fit for the points so plotted;
- 9 (11) adjust the curve of best fit as follows:
- 10 (A) identify the 10 school districts on the density-cost graph with the
- 11 highest indices of density;
- 12 (B) determine the median per-student cost of transportation for those
- 13 10 school districts, excluding the highest per-student cost of
- 14 transportation and the lowest per-student cost of transportation for the
- 15 school districts identified under subsection (a)(11)(A); and
- 16 (C) beginning at the point on the curve of best fit that corresponds to
- 17 the median per-student cost of transportation determined under subsection
- 18 (a)(11)(B), the curve of best fit shall be adjusted such that it presents a
- 19 horizontal line with a value on the vertical axis equal to such median per-
- 20 student cost of transportation;
- 21 ~~((1))~~ (12) locate the index of density for the school district on the base
- 22 line of the density-cost graph and from the point on the *adjusted* curve of
- 23 best fit directly above this point of index of density follow a line parallel to
- 24 the base line to the point of intersection with the vertical line, which point
- 25 is the formula per-student cost of transportation of the school district;
- 26 ~~((2))~~ (13) divide the formula per-student cost of transportation of the
- 27 school district by the BASE aid; and
- 28 ~~((13))~~ (14) multiply the quotient obtained under subsection ~~((13))~~ (a)
- 29 (13) by the number of students who are included in the enrollment of the
- 30 school district, are residing 2½ miles or more by the usually traveled road
- 31 to the school building they attend, and for whom transportation is being
- 32 made available by, and at the expense of, the district.
- 33 (b) (1) For school years 2017-2018 through 2020-2021, the
- 34 transportation weighting of the school district shall be either the product
- 35 determined under subsection ~~((13))~~ (a)(14), or that portion of such school
- 36 district's general state aid for school year 2016-2017 that was attributable
- 37 to the school district's transportation weighting, whichever is greater.
- 38 (2) For school year 2021-2022, and each school year thereafter, the
- 39 transportation weighting of the school district shall be the product
- 40 determined under subsection ~~((13))~~ (a)(14).
- 41 (c) For the purpose of providing accurate and reliable data on student
- 42 transportation, the state board is authorized to adopt rules and regulations
- 43 prescribing procedures that school districts shall follow in reporting

- 1 pertinent information, including uniform reporting of expenditures for  
2 transportation.
- 3 (d) As used in this section:
- 4 (1) "Curve of best fit" means the curve on a density-cost graph drawn  
5 so the sum of the distances squared from such line to each of the points  
6 plotted on the graph is the least possible.
- 7 (2) "Density-cost graph" means a drawing having: (A) A horizontal or  
8 base line divided into equal intervals of density, beginning with zero on the  
9 left; and (B) a scale for per-student cost of transportation to be shown on a  
10 line perpendicular to the base line at the left end thereof, such scale to  
11 begin with zero dollars at the base line ascending by equal per-student cost  
12 intervals.
- 13 (3) "Index of density" means the number of students who are  
14 included in the enrollment of a school district in the current school year,  
15 are residing in the designated distance or more by the usually traveled road  
16 from the school building they attend, and for whom transportation is being  
17 made available on regular school routes by the school district, divided by  
18 the number of square miles of territory in the school district.
- 19 Sec. 6. K.S.A. 2017 Supp. 72-5149 is hereby amended to read as  
20 follows: 72-5149. (a) The low enrollment weighting of each school district  
21 shall be determined by the state board as follows:
- 22 (1) For school districts with an enrollment of fewer than 100 students,  
23 multiply the enrollment of the school district by 1,014331. The resulting  
24 product is the low enrollment weighting of the school district;
- 25 (2) for school districts with an enrollment of at least 100 students, but  
26 fewer than 300 students:
- 27 (A) Subtract 100 from the enrollment of the school district;
- 28 (B) multiply the difference obtained under subsection (a)(2)(A) by  
29 9.655;
- 30 (C) subtract the product obtained under subsection (a)(2)(B) from  
31 7,337;
- 32 (D) divide the difference obtained under subsection (a)(2)(C) by  
33 3,642.4;
- 34 (E) subtract one from the quotient obtained under subsection (a)(2)  
35 (D); and
- 36 (F) multiply the difference obtained under subsection (a)(2)(E) by the  
37 enrollment of the school district. The resulting product is the low  
38 enrollment weighting of the school district;
- 39 (3) for school districts with an enrollment of at least 300 students, but  
40 fewer than 1,622 students:
- 41 (A) Subtract 300 from the enrollment of the school district;
- 42 (B) multiply the difference obtained under subsection (a)(3)(A) by  
43 1.2375;

1 (C) subtract the product obtained under subsection (a)(3)(B) from  
2 5,406;

3 (D) divide the difference obtained under subsection (a)(3)(C) by  
4 3,642.4;

5 (E) subtract one from the quotient obtained under subsection ~~(e)(D)~~  
6 ~~(a)(3)(D)~~; and

7 (F) multiply the difference obtained under subsection (a)(3)(E) by the  
8 enrollment of the school district. The resulting product is the low  
9 enrollment weighting of the school district.

10 (b) For school districts with an enrollment of at least 1,622 students,  
11 multiply the enrollment of the school district by 0.03504. The resulting  
12 product is the high enrollment weighting of the school district.

13 Sec. 7, K.S.A. 2017 Supp. 72-5150 is hereby amended to read as  
14 follows: 72-5150. The bilingual weighting of each school district shall be  
15 determined by the state board as follows:

16 (a) Determine the full-time equivalent enrollment in approved  
17 programs of bilingual education ~~during the preceding school year~~ and  
18 multiply such enrollment by 0.395;

19 (b) determine the number of students enrolled in approved programs  
20 of bilingual education ~~during the preceding school year~~ and multiply such  
21 enrollment by 0.185; and

22 (c) the bilingual weighting shall be either the amount determined  
23 under subsection (a) or (b), whichever is greater.

24 Sec. 8, K.S.A. 2017 Supp. 72-5151 is hereby amended to read as  
25 follows: 72-5151. (a) The at-risk student weighting of each school district  
26 shall be determined by the state board as follows:

27 (1) Determine the number of at-risk students included in the  
28 enrollment of the school district; and

29 (2) ~~for a school district with an enrollment that consists of 10% or~~  
30 ~~more at-risk students; multiply the number determined under subsection~~  
31 ~~(a)(1) by 0.484. The resulting sum is the at-risk student weighting of the~~  
32 ~~school district; or~~

33 ~~(3) for a school district with an enrollment that consists of less than~~  
34 ~~10% at-risk students; multiply the number of students equal to 10% of~~  
35 ~~such school district's enrollment by 0.484. The resulting sum is the at-risk~~  
36 ~~student weighting of the school district. A school district whose at-risk~~  
37 ~~student weighting is determined pursuant to this paragraph shall submit a~~  
38 ~~report to the state board in such form and manner as required by the state~~  
39 ~~board that identifies those students enrolled in such school district who are~~  
40 ~~receiving at-risk program services and the criteria each such student~~  
41 ~~satisfies in order to receive at-risk program services. The state board shall~~  
42 ~~adopt rules and regulations that establish the criteria for eligibility for at-~~  
43 ~~risk program services. The provisions of this paragraph shall only apply to~~



1 ~~these school districts that offer instruction in kindergarten and grades one~~  
2 ~~through 12.~~  
3 (b) Except as provided in subsection (b)(4), the high-density at-risk  
4 student weighting of each school district shall be determined by the state  
5 board as follows:  
6 (1) (A) If the enrollment of the school district is at least 35% at-risk  
7 students, but less than 50% at-risk students:  
8 (i) Subtract 35% from the percentage of at-risk students included in  
9 the enrollment of the school district;  
10 (ii) multiply the difference determined under subsection (b)(1)(A)(i)  
11 by 0.7; and  
12 (iii) multiply the product determined under subsection (b)(1)(A)(ii)  
13 by the number of at-risk students included in the enrollment of the school  
14 district; or  
15 (B) if the enrollment of the school district is 50% or more at-risk  
16 students, multiply the number of at-risk students included in the  
17 enrollment of the school district by 0.105; or  
18 (2) (A) if the enrollment of a school in the school district is at least  
19 35% at-risk students, but less than 50% at-risk students:  
20 (i) Subtract 35% from the percentage of at-risk students included in  
21 the enrollment of such school;  
22 (ii) multiply the difference determined under subsection (b)(2)(A)(i)  
23 by 0.7; and  
24 (iii) multiply the product determined under subsection (b)(2)(A)(ii)  
25 by the number of at-risk students included in the enrollment of such  
26 school; or  
27 (B) if the enrollment of a school in the school district is 50% or more  
28 at-risk students, multiply the number of at-risk students included in the  
29 enrollment of such school by 0.105; and  
30 (C) add the products determined under subsections (b)(2)(A)(iii) and  
31 (b)(2)(B) for each such school in the school district, respectively.  
32 (3) The high-density at-risk weighting of the school district shall be  
33 the greater of the product determined under subsection (b)(1) or the sum  
34 determined under subsection (b)(2)(C).  
35 (4) Commencing in school year 2018-2019, school districts that  
36 qualify to receive the high-density at-risk weighting pursuant to this  
37 section shall spend any money attributable to the school district's high-  
38 density at-risk weighting on the at-risk best practices developed by the  
39 state board pursuant to K.S.A. 2017 Supp. 72-5153(d), and amendments  
40 thereto. If a school district that qualifies for the high-density at-risk  
41 weighting does not spend such money on such best practices, the state  
42 board shall notify the school district that it shall either spend such money  
43 on such best practices or shall show improvement within five years of

1 notification. Improvement shall include, but not be limited to, the  
 2 following: (A) The percentage of students at grade level on state math and  
 3 English language arts assessments; (B) the percentage of students that are  
 4 college and career ready on state math and English language arts  
 5 assessments; (C) the average composite ACT score; or (D) the four-year  
 6 graduation rate. If a school district does not spend such money on such  
 7 best practices and does not show improvement within five years, the  
 8 school district shall not qualify to receive the high-density at-risk  
 9 weighting in the succeeding school year.

10 (5) The provisions of this subsection shall expire on July 1, 2019.  
 11 Sec. 9. K.S.A. 2017 Supp. 72-5155 is hereby amended to read as  
 12 follows: 72-5155. (a) The career technical education weighting of each  
 13 school district shall be determined by the state board by multiplying the  
 14 full-time equivalent enrollment in approved career technical education  
 15 programs ~~during the preceding school year~~ by 0.5. The resulting product is  
 16 the career technical education weighting of the school district.

17 (b) The provisions of this section shall expire on July 1, 2019.  
 18 Sec. 10. K.S.A. 2017 Supp. 72-53,113 is hereby amended to read as  
 19 follows: 72-53,113. (a) The board of education of any school district may  
 20 make an annual tax levy at a mill rate not to exceed the statutorily  
 21 prescribed mill rate upon the taxable tangible property in the school  
 22 district for the purposes specified in this act and, with respect to any  
 23 redevelopment district established prior to July 1, 2017, pursuant to K.S.A.  
 24 12-1771, and amendments thereto, for the purpose of paying a portion of  
 25 the principal and interest on bonds issued by cities under the authority of  
 26 K.S.A. 12-1774, and amendments thereto, for the financing of  
 27 redevelopment projects upon property located within the school district.  
 28 No levy shall be made under this act until a resolution is adopted by the  
 29 board of education in the following form:  
 30 Unified School District No. \_\_\_\_\_,  
 31 \_\_\_\_\_ County, Kansas.

32 RESOLUTION \_\_\_\_\_

33 Be It Resolved that:

34 The above-named school board shall be authorized to make an annual  
 35 tax levy in an amount not to exceed \_\_\_\_\_ mills upon the taxable tangible  
 36 property in the school district for the purpose of acquisition, construction,  
 37 reconstruction, repair, remodeling, additions to, furnishing, maintaining  
 38 and equipping of school district property and equipment necessary for  
 39 school district purposes, including: (1) Computer software; (2)  
 40 performance uniforms; (3) housing and boarding pupils enrolled in an area  
 41 vocational school operated under the board; (4) architectural expenses; (5)  
 42 building sites; (6) undertaking and maintenance of asbestos control  
 43 projects; (7) school buses; ~~and (8) utility expenses; (9) property and~~

1 ~~eastate insurance; and (f)~~ other fixed assets, and with respect to any  
 2 redevelopment district established prior to July 1, 2017, pursuant to K.S.A.  
 3 12-1771, and amendments thereto, for the purpose of paying a portion of  
 4 the principal and interest on bonds issued by cities under the authority of  
 5 K.S.A. 12-1774, and amendments thereto, for the financing of  
 6 redevelopment projects upon property located within the school district.  
 7 The tax levy authorized by this resolution may be made, unless a petition  
 8 in opposition to the same, signed by not less than 10% of the qualified  
 9 electors of the school district, is filed with the county election officer of  
 10 the home county of the school district within 40 calendar days after the last  
 11 publication of this resolution. In the event a petition is filed, the county  
 12 election officer shall submit the question of whether the tax levy shall be  
 13 authorized to the electors in the school district at an election called for that  
 14 purpose or at the next general election, as is specified by the board of  
 15 education of the above school district.

CERTIFICATE

16  
 17 This is to certify that the above resolution was duly adopted by the  
 18 board of education of Unified School District No. \_\_\_\_\_,  
 19 County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_,  
 20  
 21

\_\_\_\_\_  
 Clerk of the board of education.

22 All of the blanks in the above resolution shall be appropriately filled.  
 23 The blank preceding the word "mills" shall be filled with a specific  
 24 number. The resolution shall be published once a week for two consecutive  
 25 weeks in a newspaper having general circulation in the school district. If  
 26 no petition as specified above is filed in accordance with the provisions of  
 27 the resolution, the board of education may make the tax levy specified in  
 28 the resolution. If a petition is filed as provided in the resolution, the board  
 29 of education may notify the county election officer of the date of an  
 30 election to be held to submit the question of whether the tax levy shall be  
 31 authorized. If the board of education fails to notify the county election  
 32 officer within 60 calendar days after a petition is filed, the resolution shall  
 33 be deemed abandoned and no like resolution shall be adopted by the board  
 34 of education within the nine months following the first publication of the  
 35 resolution.

36 (b) As used in this act:

37 (1) "Unconditionally authorized to make a capital outlay tax levy"  
 38 means that the school district has adopted a resolution under this section,  
 39 has published the same, and either that the resolution was not protested or  
 40 that it was protested and an election has been held by which the tax levy  
 41 specified in the resolution was approved;

42 (2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the  
 43 mill levy rate in excess of eight mills if the resolution fixing such rate was

1 approved at an election prior to the effective date of this act; or (C) the  
2 mill levy rate in excess of eight mills if no petition or no sufficient petition  
3 was filed in protest to a resolution fixing such rate in excess of eight mills  
4 and the protest period for filing such petition has expired;

5 (3) "asbestos control project" means any activity which is necessary  
6 or incidental to the control of asbestos-containing material in buildings of  
7 school districts and includes, but not by way of limitation, any activity  
8 undertaken for the removal or encapsulation of asbestos-containing  
9 material, for any remodeling, renovation, replacement, rehabilitation or  
10 other restoration necessitated by such removal or encapsulation, for  
11 conducting inspections, reinspections and periodic surveillance of  
12 buildings, performing response actions, and developing, implementing and  
13 updating operations and maintenance programs and management plans;

14 (4) "asbestos" means the asbestiform varieties of chrysotile  
15 (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite),  
16 anthophyllite, tremolite, and actinolite; and

17 (5) "asbestos-containing material" means any material or product  
18 which contains more than 1% asbestos.

19 Sec. 11. K.S.A. 2017 Supp. 72-53,116 is hereby amended to read as  
20 follows: 72-53,116. (a) Any moneys in the capital outlay fund of any  
21 school district and any moneys received from issuance of bonds under  
22 K.S.A. 2017 Supp. 72-53,117 or 72-53,122, and amendments thereto, may  
23 be used for the purpose of the acquisition, construction, reconstruction,  
24 repair, remodeling, additions to, furnishing, maintaining and equipping of  
25 school district property and equipment necessary for school district  
26 purposes, including: (1) Computer software; (2) performance uniforms; (3)  
27 housing and boarding pupils enrolled in an area vocational school operated  
28 under the board of education; (4) architectural expenses; (5) building sites;  
29 (6) undertaking and maintenance of asbestos control projects; (7) school  
30 buses; ~~and (8) utility expenses; (9) property and casualty insurance; and~~  
31 ~~(10) other fixed assets.~~

32 (b) The board of education of any school district is hereby authorized  
33 to invest any portion of the capital outlay fund of the school district which  
34 is not currently needed in investments authorized by K.S.A. 12-1675, and  
35 amendments thereto, in the manner prescribed therein, or may invest the  
36 same in direct obligations of the United States government maturing or  
37 redeemable at par and accrued interest within three years from date of  
38 purchase, the principal and interest whereof is guaranteed by the  
39 government of the United States. All interest received on any such  
40 investment shall upon receipt thereof be credited to the capital outlay fund.

41 Sec. 12. K.S.A. 2017 Supp. 72-1171, 72-5132, 72-5133, 72-5143, 72-  
42 5145, 72-5148, 72-5149, 72-5150, 72-5151, 72-5155, 72-53,113, 72-  
43 53,116, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469,

- 1 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-
- 2 6478, 72-6479, 72-6480 and 72-6481 are hereby repealed.
- 3 Sec. 13. This act shall take effect and be in force from and after its
- 4 publication in the statute book.

