

**SENATE BILL No. 251**

By Committee on Ways and Means

5-18

1 AN ACT concerning education; relating to the instruction and financing  
2 thereof; making and concerning appropriations for the fiscal years  
3 ending June 30, 2018, and June 30, 2019, for the department of  
4 education; creating the Kansas school equity and enhancement act;  
5 amending K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-  
6 1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-  
7 1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-  
8 64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-  
9 7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-  
10 8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-  
11 8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by  
12 section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-  
13 2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the  
14 existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482  
15 and 75-2319, as amended by section 46 of Senate Substitute for  
16 Substitute for House Bill No. 2052.

17

18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1.

20

DEPARTMENT OF EDUCATION

21

(a) There is appropriated for the above agency from the state general  
22 fund for the fiscal year ending June 30, 2018, the following:

23

Operating expenditures (including official

24

hospitality) (652-00-1000-0053).....\$12,515,606

25

*Provided*, That any unencumbered balance in the operating expenditures  
26 (including official hospitality) account in excess of \$100 as of June 30,  
27 2017, is hereby reappropriated for fiscal year 2018.

28

Special education services

29

aid (652-00-1000-0700).....\$435,980,455

30

*Provided*, That any unencumbered balance in the special education  
31 services aid account in excess of \$100 as of June 30, 2017, is hereby  
32 reappropriated for fiscal year 2018: *Provided further*, That expenditures  
33 shall not be made from the special education services aid account for the  
34 provision of instruction for any homebound or hospitalized child unless  
35 the categorization of such child as exceptional is conjoined with the  
36 categorization of the child within one or more of the other categories of

1 exceptionality: *And provided further*; That expenditures shall be made from  
 2 this account for grants to school districts in amounts determined pursuant  
 3 to and in accordance with the provisions of K.S.A. 72-983, and  
 4 amendments thereto: *And provided further*; That expenditures shall be  
 5 made from the amount remaining in this account, after deduction of the  
 6 expenditures specified in the foregoing proviso, for payments to school  
 7 districts in amounts determined pursuant to and in accordance with the  
 8 provisions of K.S.A. 72-978, and amendments thereto.

9 State foundation  
 10 aid (652-00-1000-0820).....\$1,964,424,583  
 11 *Provided*, That any unencumbered balance in the general state aid account  
 12 in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal  
 13 year 2018.

14 Supplemental state  
 15 aid (652-00-1000-0840).....\$480,920,922  
 16 *Provided*, That any unencumbered balance in the supplemental general  
 17 state aid account in excess of \$100 as of June 30, 2017, is hereby  
 18 reappropriated for fiscal year 2018.

19 Mentor teacher (1000-0440).....\$800,000  
 20 Professional development.....\$1,700,000  
 21 Information technology education  
 22 opportunities (652-00-1000-0600).....\$500,000  
 23 Kansas reading success  
 24 program (652-00-1000-0070).....\$2,100,000  
 25 Discretionary grants (652-00-1000-0400).....\$322,457  
 26 *Provided*, That the above agency shall make expenditures from the  
 27 discretionary grants account during the fiscal year 2018, in the amount not  
 28 less than \$125,000 for after school programs for middle school students in  
 29 the sixth, seventh and eighth grades: *Provided further*; That the after  
 30 school programs may also include fifth and ninth grade students, if they  
 31 attend a junior high: *And provided further*; That such discretionary grants  
 32 shall be awarded to after school programs that operate for a minimum of  
 33 two hours a day, every day that school is in session, and a minimum of six  
 34 hours a day for a minimum of five weeks during the summer: *And*  
 35 *provided further*; That the discretionary grants awarded to after school  
 36 programs shall require a \$1 for \$1 local match: *And provided further*; That  
 37 the aggregate amount of discretionary grants awarded to any one after  
 38 school program shall not exceed \$25,000.

39 School food assistance (652-00-1000-0320).....\$2,510,486  
 40 School safety hotline (652-00-1000-0230).....\$10,000  
 41 KPERS – employer contributions –  
 42 USDs.....\$382,407,305  
 43 KPERS – employer

1 contributions (652-00-1000-0100).....\$25,275,661  
2 *Provided*, That any unencumbered balance in the KPERS – employer  
3 contributions account in excess of \$100 as of June 30, 2017, is hereby  
4 reappropriated for fiscal year 2018: *Provided further*; That all expenditures  
5 from the KPERS – employer contributions account shall be for payment of  
6 participating employers' contributions to the Kansas public employees  
7 retirement system as provided in K.S.A. 74-4939, and amendments  
8 thereto: *And provided further*; That expenditures from this account for the  
9 payment of participating employers' contributions to the Kansas public  
10 employees retirement system may be made regardless of when the liability  
11 was incurred.

12 Educable deaf-blind and severely  
13 handicapped children's programs  
14 aid (652-00-1000-0630).....\$110,000

15 School district juvenile detention facilities and Flint Hills job  
16 corps center grants (652-00-1000-0290).....\$4,771,500  
17 *Provided*, That any unencumbered balance in the school district juvenile  
18 detention facilities and Flint Hills job corps center grants account in excess  
19 of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018:  
20 *Provided further*; That expenditures shall be made from the school district  
21 juvenile detention facilities and Flint Hills job corps center grants account  
22 for grants to school districts in amounts determined pursuant to and in  
23 accordance with the provisions of K.S.A. 72-8187, and amendments  
24 thereto.

25 Governor's teaching excellence  
26 scholarships and  
27 awards (652-00-1000-0770).....\$327,500  
28 *Provided*, That any unencumbered balance in the governor's teaching  
29 excellence scholarships and awards account in excess of \$100 as of June  
30 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*;  
31 That all expenditures from the governor's teaching excellence scholarships  
32 and awards account for teaching excellence scholarships shall be made in  
33 accordance with K.S.A. 72-1398, and amendments thereto: *And provided*  
34 *further*; That each such grant shall be required to be matched on a \$1 for \$1  
35 basis from nonstate sources: *And provided further*; That award of each such  
36 grant shall be conditioned upon the recipient entering into an agreement  
37 requiring the grant to be repaid if the recipient fails to complete the course  
38 of training under the national board for professional teaching standards  
39 certification program: *And provided further*; That all moneys received by  
40 the department of education for repayment of grants for governor's  
41 teaching excellence scholarships shall be deposited in the state treasury  
42 and credited to the governor's teaching excellence scholarships program  
43 repayment fund (652-00-7221-7200).

- 1 (b) There is appropriated for the above agency from the following  
 2 special revenue fund or funds for the fiscal year ending June 30, 2018, all  
 3 moneys now or hereafter lawfully credited to and available in such fund or  
 4 funds, except that expenditures other than refunds authorized by law and  
 5 transfers to other state agencies shall not exceed the following:
- 6 State school district finance  
 7 fund (652-00-7393-7000).....No limit
- 8 School district capital improvements  
 9 fund (652-00-2880-2880).....No limit
- 10 *Provided*, That expenditures from the school district capital improvements  
 11 fund shall be made only for the payment of general obligation bonds  
 12 approved by voters under the authority of K.S.A. 72-6761, and  
 13 amendments thereto.
- 14 Mineral production education  
 15 fund (652-00-7669-7669).....No limit
- 16 School district capital outlay state aid  
 17 fund.....No limit
- 18 Conversion of materials and equipment  
 19 fund.....No limit
- 20 State safety fund (652-00-2538-2030).....No limit
- 21 School bus safety fund (652-00-2532-2300).....No limit
- 22 Motorcycle safety fund (652-00-2633-2050).....No limit
- 23 Federal indirect cost reimbursement  
 24 fund (652-00-2312-2200).....No limit
- 25 Teacher and administrator fee  
 26 fund (652-00-2728-2700).....No limit
- 27 Food assistance –  
 28 federal fund (652-00-3230-3020).....No limit
- 29 Food assistance – school breakfast program –  
 30 federal fund (652-00-3529-3490).....No limit
- 31 Food assistance – national school lunch program –  
 32 federal fund (652-00-3530-3500).....No limit
- 33 Food assistance – child and adult care food program – federal  
 34 fund (652-00-3531-3510).....No limit
- 35 Community-based child abuse prevention – federal  
 36 fund (652-00-3319-7400).....No limit
- 37 Family and children investment  
 38 fund (652-00-7375).....No limit
- 39 Elementary and secondary school aid – federal  
 40 fund (652-00-3233-3040).....No limit
- 41 Educationally deprived children – state operations –  
 42 federal fund (652-00-3131-3130).....No limit
- 43 Elementary and secondary school –

1	educationally deprived children –	
2	LEA's fund (652-00-3532-3520).....	No limit
3	ESEA chapter II – state operations –	
4	federal fund (652-00-3132-3140).....	No limit
5	Education of handicapped children fund –	
6	federal (652-00-3234-3050).....	No limit
7	Education of handicapped children	
8	fund – state operations –	
9	federal fund (652-00-3534-3540).....	No limit
10	Education of handicapped children fund – preschool – federal	
11	fund (652-00-3535-3550).....	No limit
12	Education of handicapped children	
13	fund – preschool state operations –	
14	federal (652-00-3536-3560).....	No limit
15	Elementary and secondary school	
16	aid – federal fund – migrant	
17	education fund (652-00-3537-3570).....	No limit
18	Elementary and secondary school aid –	
19	federal fund – migrant education –	
20	state operations (652-00-3538-3580).....	No limit
21	Vocational education title II –	
22	federal fund (652-00-3539-3590).....	No limit
23	Vocational education title II –	
24	federal fund –	
25	state operations (652-00-3540-3600).....	No limit
26	Educational research grants and projects	
27	fund (652-00-3592-3070).....	No limit
28	Drug abuse fund – department of education –	
29	federal (652-00-3795-3100).....	No limit
30	Drug abuse funds – federal – state operations	
31	fund (652-00-3799-3110).....	No limit
32	Inservice education workshop	
33	fee fund (652-00-2230-2010).....	No limit
34	<i>Provided</i> , That expenditures may be made from the inservice education	
35	workshop fee fund for operating expenditures, including official	
36	hospitality, incurred for inservice workshops and conferences: <i>Provided</i>	
37	<i>further</i> , That the state board of education is hereby authorized to fix,	
38	charge and collect fees for inservice workshops and conferences: <i>And</i>	
39	<i>provided further</i> , That such fees shall be fixed in order to recover all or	
40	part of such operating expenditures incurred for inservice workshops and	
41	conferences: <i>And provided further</i> , That all fees received for inservice	
42	workshops and conferences shall be deposited in the state treasury in	
43	accordance with the provisions of K.S.A. 75-4215, and amendments	

1	thereto, and shall be credited to the inservice education workshop fee fund.	
2	Private donations, gifts, grants and bequests	
3	fund (652-00-7307-5000).....	No limit
4	Reimbursement for services	
5	fund (652-00-3056-3200).....	No limit
6	Communities in schools program	
7	fund (652-00-2221-2400).....	No limit
8	Governor's teaching excellence scholarships program repayment	
9	fund (652-00-7221-7200).....	No limit
10	<i>Provided</i> , That all expenditures from the governor's teaching excellence	
11	scholarships program repayment fund shall be made in accordance with	
12	K.S.A. 72-1398, and amendments thereto: <i>Provided further</i> , That each	
13	such grant shall be required to be matched on a \$1 for \$1 basis from	
14	nonstate sources: <i>And provided further</i> , That award of each such grant shall	
15	be conditioned upon the recipient entering into an agreement requiring the	
16	grant to be repaid if the recipient fails to complete the course of training	
17	under the national board for professional teaching standards certification	
18	program: <i>And provided further</i> , That all moneys received by the	
19	department of education for repayment of grants made under the	
20	governor's teaching excellence scholarships program shall be deposited in	
21	the state treasury in accordance with the provisions of K.S.A. 75-4215, and	
22	amendments thereto, and shall be credited to the governor's teaching	
23	excellence scholarships program repayment fund.	
24	Elementary and secondary school aid –	
25	federal fund – reading first – state	
26	operations (652-00-3525-3850).....	No limit
27	State grants for improving teacher quality –	
28	federal fund (652-00-3526-3860).....	No limit
29	State grants for improving teacher	
30	quality – federal fund – state	
31	operations (652-00-3527-3870).....	No limit
32	21st century community learning centers –	
33	federal fund (652-00-3519-3890).....	No limit
34	State assessments –	
35	federal fund (652-00-3520-3800).....	No limit
36	Rural and low-income schools program –	
37	federal fund (652-00-3521-3810).....	No limit
38	TANF children's programs – federal	
39	fund (652-00-3323-0530).....	No limit
40	ESSA – student support	
41	academic enrichment –	
42	federal fund.....	No limit
43	Language assistance state grants –	

1	federal fund (652-00-3522-3820).....	No limit
2	Service clearing fund (652-00-2869-2800).....	No limit
3	Helping schools license plate program	
4	fund (652-00-2606-2600).....	No limit
5	General state aid transportation	
6	weighting – state highway	
7	fund (652-00-2222-2222).....	No limit

8 *Provided*, That on July 1, 2017, October 1, 2017, January 1, 2018, and  
 9 April 1, 2018, the director of accounts and reports shall transfer  
 10 \$24,150,000 from the state highway fund of the department of  
 11 transportation to the general state aid transportation weighting – state  
 12 highway fund of the department of education.

13	Special education transportation	
14	weighting – state highway	
15	fund (652-00-2223-2223).....	No limit

16 *Provided*, That on July 1, 2017, October 1, 2017, January 1, 2018, and  
 17 April 1, 2018, the director of accounts and reports shall transfer  
 18 \$2,500,000 from the state highway fund of the department of  
 19 transportation to the special education transportation weighting – state  
 20 highway fund of the department of education.

21	Career and technical education	
22	transportation – state highway	
23	fund (652-00-2139-2139).....	No limit

24 *Provided*, That on July 1, 2017, the director of accounts and reports shall  
 25 transfer \$650,000 from the state highway fund of the department of  
 26 transportation to the career and technical education transportation – state  
 27 highway fund of the department of education.

28	Educational technology coordinator	
29	fund (652-00-2157-2157).....	No limit

30 *Provided*, That expenditures shall be made by the above agency for the  
 31 fiscal year ending June 30, 2018, from the educational technology  
 32 coordinator fund of the department of education to provide data on the  
 33 number of school districts served and cost savings for those districts in  
 34 fiscal year 2018 in order to assess the cost effectiveness of the position of  
 35 educational technology coordinator.

36 (c) There is appropriated for the above agency from the children's  
 37 initiatives fund for the fiscal year ending June 30, 2018, the following:

38	Pre-K program.....	\$4,799,812
39	Parent education program.....	\$7,237,635

40 *Provided*, That expenditures from the parent education program account  
 41 for each such grant shall be matched by the school district in an amount  
 42 which is equal to not less than 65% of the grant.

43 (d) On July 1, 2017, or as soon thereafter as moneys are available,

1 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and  
2 amendments thereto, or any other statute, the director of accounts and  
3 reports shall transfer \$50,000 from the family and children trust account of  
4 the family and children investment fund of the Kansas department for  
5 children and families to the communities in schools program fund of the  
6 department of education.

7 (e) On March 30, 2018, or as soon thereafter as moneys are available,  
8 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
9 thereto, or any other statute, the director of accounts and reports shall  
10 transfer \$550,000 from the state safety fund to the state general fund:  
11 *Provided*, That the transfer of such amount shall be in addition to any  
12 other transfer from the state safety fund to the state general fund as  
13 prescribed by law: *Provided further*; That the amount transferred from the  
14 state safety fund to the state general fund pursuant to this subsection is to  
15 reimburse the state general fund for accounting, auditing, budgeting, legal,  
16 payroll, personnel and purchasing services and any other governmental  
17 services that are performed on behalf of the department of education by  
18 other state agencies that receive appropriations from the state general fund  
19 to provide such services.

20 (f) On June 30, 2018, or as soon thereafter as moneys are available,  
21 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
22 thereto, or any other statute, the director of accounts and reports shall  
23 transfer \$550,000 from the state safety fund to the state general fund:  
24 *Provided*, That the transfer of such amount shall be in addition to any other  
25 transfer from the state safety fund to the state general fund as prescribed  
26 by law: *Provided further*; That the amount transferred from the state safety  
27 fund to the state general fund pursuant to this subsection is to reimburse  
28 the state general fund for accounting, auditing, budgeting, legal, payroll,  
29 personnel and purchasing services and any other governmental services  
30 that are performed on behalf of the department of education by other state  
31 agencies that receive appropriations from the state general fund to provide  
32 such services.

33 (g) On July 1, 2017, and quarterly thereafter, the director of accounts  
34 and reports shall transfer \$56,250 from the state highway fund of the  
35 department of transportation to the school bus safety fund of the  
36 department of education.

37 (h) On July 1, 2017, the director of accounts and reports shall transfer  
38 an amount certified by the commissioner of education from the motorcycle  
39 safety fund of the department of education to the motorcycle safety fund of  
40 the state board of regents: *Provided*, That the amount to be transferred  
41 shall be determined by the commissioner of education based on the  
42 amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and  
43 amendments thereto.



1 (i) There is appropriated for the above agency from the expanded  
 2 lottery act revenues fund for the fiscal year ending June 30, 2018, the  
 3 following:

4 KPERS – non-school employer  
 5 contribution.....\$35,430,948

6 (j) On July 1, 2017, or as soon thereafter as moneys are available, the  
 7 director of accounts and reports shall transfer \$89,323 from the USAC E-  
 8 rate program federal fund of the state board of regents to the education  
 9 technology coordinator fund of the department of education: *Provided*,  
 10 That the department of education shall provide information and data  
 11 regarding the number of school districts served and cost savings attained  
 12 by such school districts in order to assess the cost effectiveness of having  
 13 this education technology coordinator position: *Provided further*, That such  
 14 information and data shall be available by the department of education by  
 15 the end of the fiscal year 2018.

16 Sec. 2.

17 DEPARTMENT OF EDUCATION

18 (a) There is appropriated for the above agency from the state general  
 19 fund for the fiscal year ending June 30, 2019, the following:

20 Operating expenditures (including official  
 21 hospitality) (652-00-1000-0053).....\$12,585,839

22 *Provided*, That any unencumbered balance in the operating expenditures  
 23 (including official hospitality) account in excess of \$100 as of June 30,  
 24 2018, is hereby reappropriated for fiscal year 2019.

25 Special education services  
 26 aid (652-00-1000-0700).....\$447,980,455

27 *Provided*, That any unencumbered balance in the special education  
 28 services aid account in excess of \$100 as of June 30, 2018, is hereby  
 29 reappropriated for fiscal year 2019: *Provided further*; That expenditures  
 30 shall not be made from the special education services aid account for the  
 31 provision of instruction for any homebound or hospitalized child unless  
 32 the categorization of such child as exceptional is conjoined with the  
 33 categorization of the child within one or more of the other categories of  
 34 exceptionality: *And provided further*; That expenditures shall be made from  
 35 this account for grants to school districts in amounts determined pursuant  
 36 to and in accordance with the provisions of K.S.A. 72-983, and  
 37 amendments thereto: *And provided further*; That expenditures shall be  
 38 made from the amount remaining in this account, after deduction of the  
 39 expenditures specified in the foregoing proviso, for payments to school  
 40 districts in amounts determined pursuant to and in accordance with the  
 41 provisions of K.S.A. 72-978, and amendments thereto.

42 State foundation aid (652-00-1000-0820).....\$1,986,558,106  
 43 *Provided*, That any unencumbered balance in the general state aid account

1 in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal  
2 year 2019.

3 Supplemental state aid (652-00-1000-0840).....\$486,109,284

4 *Provided*, That any unencumbered balance in the supplemental general  
5 state aid account in excess of \$100 as of June 30, 2018, is hereby  
6 reappropriated for fiscal year 2019.

7 Mentor teacher (1000-0440).....\$800,000

8 Professional development.....\$1,700,000

9 Information technology education  
10 opportunities (652-00-1000-0600).....\$500,000

11 Kansas reading success  
12 program (652-00-1000-0070).....\$2,100,000

13 Discretionary grants (652-00-1000-0400).....\$322,457

14 *Provided*, That the above agency shall make expenditures from the  
15 discretionary grants account during the fiscal year 2019, in the amount not  
16 less than \$125,000 for after school programs for middle school students in  
17 the sixth, seventh and eighth grades: *Provided further*; That the after school  
18 programs may also include fifth and ninth grade students, if they attend a  
19 junior high: *And provided further*; That such discretionary grants shall be  
20 awarded to after school programs that operate for a minimum of two hours  
21 a day, every day that school is in session, and a minimum of six hours a  
22 day for a minimum of five weeks during the summer: *And provided*  
23 *further*; That the discretionary grants awarded to after school programs  
24 shall require a \$1 for \$1 local match: *And provided further*; That the  
25 aggregate amount of discretionary grants awarded to any one after school  
26 program shall not exceed \$25,000.

27 School food assistance (652-00-1000-0320).....\$2,510,486

28 School safety hotline (652-00-1000-0230).....\$10,000

29 KPERS – employer contributions –  
30 USDs.....\$421,856,124

31 KPERS – employer  
32 contributions (652-00-1000-0100).....\$31,538,101

33 *Provided*, That any unencumbered balance in the KPERS – employer  
34 contributions account in excess of \$100 as of June 30, 2018, is hereby  
35 reappropriated for fiscal year 2019: *Provided further*; That all expenditures  
36 from the KPERS – employer contributions account shall be for payment of  
37 participating employers' contributions to the Kansas public employees  
38 retirement system as provided in K.S.A. 74-4939, and amendments  
39 thereto: *And provided further*; That expenditures from this account for the  
40 payment of participating employers' contributions to the Kansas public  
41 employees retirement system may be made regardless of when the liability  
42 was incurred.

43 Educable deaf-blind and severely

1       handicapped children's programs  
2       aid (652-00-1000-0630).....\$110,000  
3   School district juvenile detention  
4       facilities and Flint Hills  
5       job corps center  
6       grants (652-00-1000-0290).....\$4,771,500  
7   *Provided*, That any unencumbered balance in the school district juvenile  
8   detention facilities and Flint Hills job corps center grants account in excess  
9   of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019:  
10 *Provided further*, That expenditures shall be made from the school district  
11 juvenile detention facilities and Flint Hills job corps center grants account  
12 for grants to school districts in amounts determined pursuant to and in  
13 accordance with the provisions of K.S.A. 72-8187, and amendments  
14 thereto.  
15 Governor's teaching excellence  
16       scholarships and  
17       awards (652-00-1000-0770).....\$327,500  
18 *Provided*, That any unencumbered balance in the governor's teaching  
19 excellence scholarships and awards account in excess of \$100 as of June  
20 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*,  
21 That all expenditures from the governor's teaching excellence scholarships  
22 and awards account for teaching excellence scholarships shall be made in  
23 accordance with K.S.A. 72-1398, and amendments thereto: *And provided*  
24 *further*, That each such grant shall be required to be matched on a \$1 for \$1  
25 basis from nonstate sources: *And provided further*, That award of each such  
26 grant shall be conditioned upon the recipient entering into an agreement  
27 requiring the grant to be repaid if the recipient fails to complete the course  
28 of training under the national board for professional teaching standards  
29 certification program: *And provided further*, That all moneys received by  
30 the department of education for repayment of grants for governor's  
31 teaching excellence scholarships shall be deposited in the state treasury  
32 and credited to the governor's teaching excellence scholarships program  
33 repayment fund (652-00-7221-7200).  
34       (b) There is appropriated for the above agency from the following  
35 special revenue fund or funds for the fiscal year ending June 30, 2019, all  
36 moneys now or hereafter lawfully credited to and available in such fund or  
37 funds, except that expenditures other than refunds authorized by law and  
38 transfers to other state agencies shall not exceed the following:  
39 State school district finance  
40       fund (652-00-7393-7000).....No limit  
41 School district capital improvements  
42       fund (652-00-2880-2880).....No limit  
43 *Provided*, That expenditures from the school district capital improvements

1	fund shall be made only for the payment of general obligation bonds	
2	approved by voters under the authority of K.S.A. 72-6761, and	
3	amendments thereto.	
4	Mineral production education	
5	fund (652-00-7669-7669).....	No limit
6	School district capital outlay state aid	
7	fund.....	No limit
8	Conversion of materials and equipment	
9	fund.....	No limit
10	State safety fund (652-00-2538-2030).....	No limit
11	School bus safety fund (652-00-2532-2300).....	No limit
12	Motorcycle safety fund (652-00-2633-2050).....	No limit
13	Federal indirect cost reimbursement	
14	fund (652-00-2312-2200).....	No limit
15	Teacher and administrator fee	
16	fund (652-00-2728-2700).....	No limit
17	Food assistance –	
18	federal fund (652-00-3230-3020).....	No limit
19	Food assistance – school breakfast program –	
20	federal fund (652-00-3529-3490).....	No limit
21	Food assistance – national school lunch program –	
22	federal fund (652-00-3530-3500).....	No limit
23	Food assistance – child and	
24	adult care food program –	
25	federal fund (652-00-3531-3510).....	No limit
26	Community-based child	
27	abuse prevention –	
28	federal fund (652-00-3319-7400).....	No limit
29	Family and children investment	
30	fund (652-00-7375).....	No limit
31	Elementary and secondary school aid –	
32	federal fund (652-00-3233-3040).....	No limit
33	Educationally deprived children – state operations –	
34	federal fund (652-00-3131-3130).....	No limit
35	Elementary and secondary school –	
36	educationally deprived children –	
37	LEA's fund (652-00-3532-3520).....	No limit
38	ESEA chapter II – state operations –	
39	federal fund (652-00-3132-3140).....	No limit
40	Education of handicapped children fund –	
41	federal (652-00-3234-3050).....	No limit
42	Education of handicapped children	
43	fund – state operations –	

1	federal fund (652-00-3534-3540).....	No limit
2	Education of handicapped children	
3	fund – preschool – federal	
4	fund (652-00-3535-3550).....	No limit
5	Education of handicapped children	
6	fund – preschool state operations –	
7	federal (652-00-3536-3560).....	No limit
8	Elementary and secondary school	
9	aid – federal fund – migrant	
10	education fund (652-00-3537-3570).....	No limit
11	Elementary and secondary school aid –	
12	federal fund – migrant education –	
13	state operations (652-00-3538-3580) .....	No limit
14	Vocational education title II –	
15	federal fund (652-00-3539-3590).....	No limit
16	Vocational education title II –	
17	federal fund – state	
18	operations (652-00-3540-3600) .....	No limit
19	Educational research grants and projects	
20	fund (652-00-3592-3070).....	No limit
21	Drug abuse fund – department of education –	
22	federal (652-00-3795-3100).....	No limit
23	Drug abuse funds – federal – state operations	
24	fund (652-00-3799-3110).....	No limit
25	Inservice education workshop	
26	fee fund (652-00-2230-2010).....	No limit
27	<i>Provided</i> , That expenditures may be made from the inservice education	
28	workshop fee fund for operating expenditures, including official	
29	hospitality, incurred for inservice workshops and conferences: <i>Provided</i>	
30	<i>further</i> , That the state board of education is hereby authorized to fix,	
31	charge and collect fees for inservice workshops and conferences: <i>And</i>	
32	<i>provided further</i> , That such fees shall be fixed in order to recover all or	
33	part of such operating expenditures incurred for inservice workshops and	
34	conferences: <i>And provided further</i> , That all fees received for inservice	
35	workshops and conferences shall be deposited in the state treasury in	
36	accordance with the provisions of K.S.A. 75-4215, and amendments	
37	thereto, and shall be credited to the inservice education workshop fee fund.	
38	Private donations, gifts, grants and bequests	
39	fund (652-00-7307-5000).....	No limit
40	Reimbursement for services	
41	fund (652-00-3056-3200).....	No limit
42	Communities in schools program	
43	fund (652-00-2221-2400).....	No limit

- 1 Governor's teaching excellence scholarships program repayment
- 2 fund (652-00-7221-7200).....No limit
- 3 *Provided*, That all expenditures from the governor's teaching excellence
- 4 scholarships program repayment fund shall be made in accordance with
- 5 K.S.A. 72-1398, and amendments thereto: *Provided further*; That each
- 6 such grant shall be required to be matched on a \$1 for \$1 basis from
- 7 nonstate sources: *And provided further*; That award of each such grant shall
- 8 be conditioned upon the recipient entering into an agreement requiring the
- 9 grant to be repaid if the recipient fails to complete the course of training
- 10 under the national board for professional teaching standards certification
- 11 program: *And provided further*; That all moneys received by the
- 12 department of education for repayment of grants made under the
- 13 governor's teaching excellence scholarships program shall be deposited in
- 14 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
- 15 amendments thereto, and shall be credited to the governor's teaching
- 16 excellence scholarships program repayment fund.
- 17 State grants for improving teacher quality –
- 18 federal fund (652-00-3526-3860).....No limit
- 19 State grants for improving
- 20 teacher quality – federal fund –
- 21 state operations (652-00-3527-3870).....No limit
- 22 21st century community l
- 23 earning centers – federal
- 24 fund (652-00-3519-3890).....No limit
- 25 State assessments –
- 26 federal fund (652-00-3520-3800).....No limit
- 27 Rural and low-income schools program –
- 28 federal fund (652-00-3521-3810).....No limit
- 29 TANF children's programs – federal
- 30 fund (652-00-3323-0530).....No limit
- 31 ESSA – student support
- 32 academic enrichment –
- 33 federal fund.....No limit
- 34 Language assistance state grants –
- 35 federal fund (652-00-3522-3820).....No limit
- 36 Service clearing fund (652-00-2869-2800).....No limit
- 37 Helping schools
- 38 license plate program
- 39 fund (652-00-2606-2600).....No limit
- 40 General state aid transportation
- 41 weighting – state highway
- 42 fund (652-00-2222-2222).....No limit
- 43 *Provided*, That on July 1, 2018, October 1, 2018, January 1, 2019, and

1 April 1, 2019, the director of accounts and reports shall transfer  
2 \$24,150,000 from the state highway fund of the department of  
3 transportation to the general state aid transportation weighting – state  
4 highway fund of the department of education.

5 Special education transportation  
6 weighting – state highway  
7 fund (652-00-2223-2223).....No limit

8 *Provided*, That on July 1, 2018, October 1, 2018, January 1, 2019, and  
9 April 1, 2019, the director of accounts and reports shall transfer  
10 \$2,500,000 from the state highway fund of the department of  
11 transportation to the special education transportation weighting – state  
12 highway fund of the department of education.

13 Career and technical education  
14 transportation – state highway  
15 fund (652-00-2139-2139).....No limit

16 *Provided*, That on July 1, 2018, the director of accounts and reports shall  
17 transfer \$650,000 from the state highway fund of the department of  
18 transportation to the career and technical education transportation – state  
19 highway fund of the department of education.

20 Educational technology coordinator  
21 fund (652-00-2157-2157).....No limit

22 *Provided*, That expenditures shall be made by the above agency for the  
23 fiscal year ending June 30, 2019, from the educational technology  
24 coordinator fund of the department of education to provide data on the  
25 number of school districts served and cost savings for those districts in  
26 fiscal year 2019 in order to assess the cost effectiveness of the position of  
27 educational technology coordinator.

28 (c) There is appropriated for the above agency from the children's  
29 initiatives fund for the fiscal year ending June 30, 2019, the following:

30 Pre-K program.....\$4,799,812  
31 Parent education program.....\$7,237,635

32 *Provided*, That expenditures from the parent education program account  
33 for each such grant shall be matched by the school district in an amount  
34 which is equal to not less than 65% of the grant.

35 (d) On July 1, 2018, or as soon thereafter as moneys are available,  
36 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and  
37 amendments thereto, or any other statute, the director of accounts and  
38 reports shall transfer \$50,000 from the family and children trust account of  
39 the family and children investment fund of the Kansas department for  
40 children and families to the communities in schools program fund of the  
41 department of education.

42 (e) On March 30, 2019, or as soon thereafter as moneys are available,  
43 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments

1 thereto, or any other statute, the director of accounts and reports shall  
 2 transfer \$550,000 from the state safety fund to the state general fund:  
 3 *Provided*, That the transfer of such amount shall be in addition to any  
 4 other transfer from the state safety fund to the state general fund as  
 5 prescribed by law: *Provided further*; That the amount transferred from the  
 6 state safety fund to the state general fund pursuant to this subsection is to  
 7 reimburse the state general fund for accounting, auditing, budgeting, legal,  
 8 payroll, personnel and purchasing services and any other governmental  
 9 services that are performed on behalf of the department of education by  
 10 other state agencies that receive appropriations from the state general fund  
 11 to provide such services.

12 (f) On June 30, 2019, or as soon thereafter as moneys are available,  
 13 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
 14 thereto, or any other statute, the director of accounts and reports shall  
 15 transfer \$550,000 from the state safety fund to the state general fund:  
 16 *Provided*, That the transfer of such amount shall be in addition to any other  
 17 transfer from the state safety fund to the state general fund as prescribed  
 18 by law: *Provided further*; That the amount transferred from the state safety  
 19 fund to the state general fund pursuant to this subsection is to reimburse  
 20 the state general fund for accounting, auditing, budgeting, legal, payroll,  
 21 personnel and purchasing services and any other governmental services  
 22 that are performed on behalf of the department of education by other state  
 23 agencies that receive appropriations from the state general fund to provide  
 24 such services.

25 (g) On July 1, 2018, and quarterly thereafter, the director of accounts  
 26 and reports shall transfer \$56,250 from the state highway fund of the  
 27 department of transportation to the school bus safety fund of the  
 28 department of education.

29 (h) On July 1, 2018, the director of accounts and reports shall transfer  
 30 an amount certified by the commissioner of education from the motorcycle  
 31 safety fund of the department of education to the motorcycle safety fund of  
 32 the state board of regents: *Provided*, That the amount to be transferred  
 33 shall be determined by the commissioner of education based on the  
 34 amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and  
 35 amendments thereto.

36 (i) There is appropriated for the above agency from the expanded  
 37 lottery act revenues fund for the fiscal year ending June 30, 2019, the  
 38 following:

39 KPERs – non-school employer  
 40 contribution.....\$35,430,948

41 (j) On July 1, 2018, or as soon thereafter as moneys are available, the  
 42 director of accounts and reports shall transfer \$89,323 from the USAC E-  
 43 rate program federal fund of the state board of regents to the education



1 technology coordinator fund of the department of education: *Provided*,  
2 That the department of education shall provide information and data  
3 regarding the number of school districts served and cost savings attained  
4 by such school districts in order to assess the cost effectiveness of having  
5 this education technology coordinator position: *Provided further*; That such  
6 information and data shall be available by the department of education by  
7 the end of the fiscal year 2019.

8 New Sec. 3. Sections 3 through 47, and amendments thereto, shall be  
9 known and may be cited as the Kansas school equity and enhancement act.

10 New Sec. 4. As used in the Kansas school equity and enhancement  
11 act, section 3 et seq., and amendments thereto:

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

20 (b) "Ancillary school facilities weighting" means an addend  
21 component assigned to the enrollment of school districts pursuant to  
22 section 30, and amendments thereto, on the basis of costs attributable to  
23 commencing operation of one or more new school facilities by such school  
24 districts.

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

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

33 (d) "At-risk student weighting" means an addend component assigned  
34 to the enrollment of school districts pursuant to section 23(a), and  
35 amendments thereto, on the basis of costs attributable to the maintenance  
36 of at-risk educational programs by such school districts.

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

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

41 (2) for school year 2018-2019, \$4,080; and

42 (3) for school year 2019-2020, and each school year thereafter, the  
43 BASE aid shall be the BASE aid amount for the immediately preceding

1 school year plus an amount equal to the average percentage increase in the  
2 consumer price index for all urban consumers in the midwest region as  
3 published by the bureau of labor statistics of the United States department  
4 of labor during the three immediately preceding school years.

5 (f) "Bilingual weighting" means an addend component assigned to  
6 the enrollment of school districts pursuant to section 22, and amendments  
7 thereto, on the basis of costs attributable to the maintenance of bilingual  
8 educational programs by such school districts.

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

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

12 (i) "Categorical fund" means and includes the following funds of a  
13 school district: Adult education fund; adult supplementary education fund;  
14 at-risk education fund; bilingual education fund; career and postsecondary  
15 education fund; driver training fund; educational excellence grant program  
16 fund; extraordinary school program fund; food service fund; parent  
17 education program fund; preschool-aged at-risk education fund;  
18 professional development fund; special education fund; and summer  
19 program fund.

20 (j) "Cost-of-living weighting" means an addend component assigned  
21 to the enrollment of school districts pursuant to section 31, and  
22 amendments thereto, on the basis of costs attributable to the cost of living  
23 in such school districts.

24 (k) "Current school year" means the school year during which state  
25 foundation aid is determined by the state board under section 6, and  
26 amendments thereto.

27 (l) "Declining enrollment weighting" means an addend component  
28 assigned to the enrollment of school districts pursuant to section 32, and  
29 amendments thereto, on the basis of costs attributable to the declining  
30 enrollment of such school districts.

31 (m) "Enrollment" means:

32 (1) The number of students regularly enrolled in kindergarten and  
33 grades one through 12 in the school district on September 20 of the  
34 preceding school year plus the number of preschool-aged at-risk students  
35 regularly enrolled in the school district on September 20 of the current  
36 school year, except a student who is a foreign exchange student shall not  
37 be counted unless such student is regularly enrolled in the school district  
38 on September 20 and attending kindergarten or any of the grades one  
39 through 12 maintained by the school district for at least one semester or  
40 two quarters, or the equivalent thereof.

41 (2) If the enrollment in a school district in the preceding school year  
42 has decreased from enrollment in the second preceding school year, the  
43 enrollment of the school district in the current school year means the sum

1 of:

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

6 (B) the adjusted enrollment in the second preceding school year of  
7 any students participating in the tax credit for low income students  
8 scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and  
9 amendments thereto, in the preceding school year, if any, plus the adjusted  
10 enrollment in the preceding school year of preschool-aged at-risk students  
11 who are participating in the tax credit for low income students scholarship  
12 program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments  
13 thereto, in the current school year, if any.

14 (3) For any school district that received federal impact aid for the  
15 preceding school year, if the enrollment in such school district in the  
16 preceding school year has decreased from enrollment in the second  
17 preceding school year, the enrollment of the school district in the current  
18 school year means whichever is the greater of:

19 (A) The enrollment determined under subsection (m)(2); or

20 (B) the sum of the enrollment in the preceding school year of  
21 preschool-aged at-risk students, if any, and the arithmetic mean of the sum  
22 of:

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

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

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

31 (n) "February 20" has its usual meaning, except that in any year in  
32 which February 20 is not a day on which school is maintained, it means  
33 the first day after February 20 on which school is maintained.

34 (o) "Federal impact aid" means an amount equal to the federally  
35 qualified percentage of the amount of moneys a school district receives in  
36 the current school year under the provisions of title I of public law 874 and  
37 congressional appropriations therefor, excluding amounts received for  
38 assistance in cases of major disaster and amounts received under the low-  
39 rent housing program. The amount of federal impact aid shall be  
40 determined by the state board in accordance with terms and conditions  
41 imposed under the provisions of the public law and rules and regulations  
42 thereunder.

43 (p) "General fund" means the fund of a school district from which

1 operating expenses are paid and in which is deposited all amounts of state  
2 foundation aid provided under this act, payments under K.S.A. 72-7105a,  
3 and amendments thereto, payments of federal funds made available under  
4 the provisions of title I of public law 874, except amounts received for  
5 assistance in cases of major disaster and amounts received under the low-  
6 rent housing program and such other moneys as are provided by law.

7 (q) "General fund budget" means the amount budgeted for operating  
8 expenses in the general fund of a school district.

9 (r) "High-density at-risk student weighting" means an addend  
10 component assigned to the enrollment of school districts pursuant to  
11 section 23(b), and amendments thereto, on the basis of costs attributable to  
12 the maintenance of at-risk educational programs by such school districts.

13 (s) "High enrollment weighting" means an addend component  
14 assigned to the enrollment of school districts pursuant to section 21(b), and  
15 amendments thereto, on the basis of costs attributable to maintenance of  
16 educational programs by such school districts.

17 (t) "Juvenile detention facility" means the same as such term is  
18 defined in K.S.A. 72-8187, and amendments thereto.

19 (u) "Local foundation aid" means the sum of the following amounts:

20 (1) An amount equal to any unexpended and unencumbered balance  
21 remaining in the general fund of the school district, except moneys  
22 received by the school district and authorized to be expended for the  
23 purposes specified in section 40, and amendments thereto;

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

27 (3) an amount equal to the amount deposited in the general fund in  
28 the current school year from moneys received in such school year by the  
29 school district under the provisions of K.S.A. 72-1046a(a), and  
30 amendments thereto;

31 (4) an amount equal to the amount deposited in the general fund in  
32 the current school year from moneys received in such school year by the  
33 school district pursuant to contracts made and entered into under authority  
34 of K.S.A. 72-6757, and amendments thereto;

35 (5) an amount equal to the amount credited to the general fund in the  
36 current school year from moneys distributed in such school year to the  
37 school district under the provisions of articles 17 and 34 of chapter 12 of  
38 the Kansas Statutes Annotated, and amendments thereto, and under the  
39 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes  
40 Annotated, and amendments thereto;

41 (6) an amount equal to the amount of payments received by the  
42 school district under the provisions of K.S.A. 72-979, and amendments  
43 thereto;

1 (7) an amount equal to the amount of any grant received by the  
2 school district under the provisions of K.S.A. 72-983, and amendments  
3 thereto; and

4 (8) an amount equal to 70% of the federal impact aid of the school  
5 district.

6 (v) "Low enrollment weighting" means an addend component  
7 assigned to the enrollment of school districts pursuant to section 21(a), and  
8 amendments thereto, on the basis of costs attributable to maintenance of  
9 educational programs by such school districts.

10 (w) "Operating expenses" means the total expenditures and lawful  
11 transfers from the general fund of a school district during a school year for  
12 all purposes, except expenditures for the purposes specified in section 40,  
13 and amendments thereto.

14 (x) "Preceding school year" means the school year immediately  
15 before the current school year.

16 (y) "Preschool-aged at-risk student" means an at-risk student who has  
17 attained the age of four years, is under the age of eligibility for attendance  
18 at kindergarten, and has been selected by the state board in accordance  
19 with guidelines governing the selection of students for participation in  
20 head start programs.

21 (z) "Preschool-aged exceptional children" means exceptional  
22 children, except gifted children, who have attained the age of three years  
23 but are under the age of eligibility for attendance at kindergarten. The  
24 terms "exceptional children" and "gifted children" have the same meaning  
25 as those terms are defined in K.S.A. 72-962, and amendments thereto.

26 (aa) "Psychiatric residential treatment facility" means the same as  
27 such term is defined in K.S.A. 72-8187, and amendments thereto.

28 (bb) "School district" means a school district organized under the  
29 laws of this state that is maintaining public school for a school term in  
30 accordance with the provisions of K.S.A. 72-1106, and amendments  
31 thereto.

32 (cc) "School facilities weighting" means an added component  
33 assigned to the enrollment of school districts pursuant to section 28, and  
34 amendments thereto, on the basis of costs attributable to commencing  
35 operation of one or more new school facilities by such school districts.

36 (dd) "School year" means the 12-month period ending June 30.

37 (ee) "September 20" has its usual meaning, except that in any year in  
38 which September 20 is not a day on which school is maintained, it means  
39 the first day after September 20 on which school is maintained.

40 (ff) "Special education and related services weighting" means an  
41 addend component assigned to the enrollment of school districts pursuant  
42 to section 29, and amendments thereto, on the basis of costs attributable to  
43 the maintenance of special education and related services by such school

1 districts.

2 (gg) "State board" means the state board of education.

3 (hh) "State foundation aid" means the amount of aid distributed to  
4 school district as determined by the state board pursuant to section 6, and  
5 amendments thereto.

6 (ii) (1) "Student" means any person who is regularly enrolled in a  
7 school district and attending kindergarten or any of the grades one through  
8 12 maintained by the school district or who is regularly enrolled in a  
9 school district and attending kindergarten or any of the grades one through  
10 12 in another school district in accordance with an agreement entered into  
11 under authority of K.S.A. 72-8233, and amendments thereto, or who is  
12 regularly enrolled in a school district and attending special education  
13 services provided for preschool-aged exceptional children by the school  
14 district.

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

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

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

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

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

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

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

30 (E) A student enrolled in and attending an institution of  
31 postsecondary education that is authorized under the laws of this state to  
32 award academic degrees shall be counted as one student if the student's  
33 postsecondary education enrollment and attendance together with the  
34 student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time,  
35 otherwise the student shall be counted as that proportion of one student (to  
36 the nearest  $\frac{1}{10}$ ) that the total time of the student's postsecondary education  
37 attendance and attendance in grades 11 or 12, as applicable, bears to full-  
38 time attendance.

39 (F) A student enrolled in and attending a technical college, a career  
40 technical education program of a community college or other approved  
41 career technical education program shall be counted as one student, if the  
42 student's career technical education attendance together with the student's  
43 attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise

1 the student shall be counted as that proportion of one student (to the  
2 nearest  $\frac{1}{10}$ ) that the total time of the student's career technical education  
3 attendance and attendance in any of grades nine through 12 bears to full-  
4 time attendance.

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

9 (H) A student enrolled in a school district and attending special  
10 education and related services provided for by the school district and also  
11 attending a virtual school shall be counted as that proportion of one  
12 student (to the nearest  $\frac{1}{10}$ ) that the student's attendance at the non-virtual  
13 school bears to full-time attendance.

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

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

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

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

22 (D) an individual who does not live in Kansas.

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. 2016 Supp. 72-3715, and amendments thereto.

26 (jj) "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) "Transportation weighting" means an addend component  
30 assigned to the enrollment of school districts pursuant to section 20, and  
31 amendments thereto, on the basis of costs attributable to the provision or  
32 furnishing of transportation.

33 (ll) "Virtual school" means the same as such term is defined in K.S.A.  
34 2016 Supp. 72-3712, and amendments thereto.

35 New Sec. 5. (a) The state school district finance fund, established by  
36 K.S.A. 1991 Supp. 72-7081, prior to its repeal, is hereby continued in  
37 existence and shall consist of: (1) All moneys credited to such fund under  
38 K.S.A. 2016 Supp. 72-6463 through 72-6481, prior to their expiration; and  
39 (2) all amounts transferred to such fund under sections 8, 14, 15, 30, 31, 32  
40 and 51, and amendments thereto.

41 (b) The state school district finance fund shall be used for the purpose  
42 of school district finance and for no other governmental purpose. It is the  
43 intent of the legislature that the fund shall remain intact and inviolate for

1 such purpose, and moneys in the fund shall not be subject to the provisions  
2 of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

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

6 New Sec. 6. In each school year, the state board shall determine the  
7 amount of state foundation aid for each school district for such school  
8 year. The state board shall determine the amount of the school district's  
9 local foundation aid for the school year. If the amount of the school  
10 district's local foundation aid is greater than the amount of total foundation  
11 aid determined for the school district for the school year, the school district  
12 shall not receive state foundation aid in any amount. If the amount of the  
13 school district's local foundation aid is less than the amount of total  
14 foundation aid determined for the school district for the school year, the  
15 state board shall subtract the amount of the school district's local  
16 foundation aid from the amount of total foundation aid. The remainder is  
17 the amount of state foundation aid the school district shall receive for the  
18 school year.

19 New Sec. 7. (a) The distribution of state foundation aid under this act  
20 shall be made in accordance with appropriation acts each year as provided  
21 in this section.

22 (b) (1) In the months of July through May of each school year, the  
23 state board shall determine the amount of state foundation aid that will be  
24 required by each school district to maintain operations in each such month.  
25 In making such determination, the state board shall take into consideration  
26 the school district's access to local foundation aid and the obligations of  
27 the general fund that must be satisfied during the month. The amount  
28 determined by the state board under this provision is the amount of state  
29 foundation aid that will be distributed to the school district in the months  
30 of July through May.

31 (2) In the month of June of each school year, payment shall be made  
32 of the full amount of the state foundation aid determined for the school  
33 year less the sum of the monthly payments made in the months of July  
34 through May pursuant to subsection (b)(1).

35 (c) Payments of state foundation aid shall be distributed to school  
36 districts once each month on the dates prescribed by the state board. The  
37 state board shall certify to the director of accounts and reports the amount  
38 due as state foundation aid to each school district in each of the months of  
39 July through June. Such certification, and the amount of state foundation  
40 aid payable from the state general fund, shall be approved by the director  
41 of the budget. The director of accounts and reports shall draw warrants on  
42 the state treasurer payable to the school district treasurer of each school  
43 district, pursuant to vouchers approved by the state board. Upon receipt of



1 such warrant, each school district treasurer shall deposit the amount of  
2 state foundation aid in the general fund of the school district, except that  
3 an amount equal to the amount of federal impact aid not included in the  
4 local foundation aid of a school district may be disposed of as provided in  
5 section 38(a), and amendments thereto.

6 (d) If any amount of state foundation aid that is due to be paid during  
7 the month of June of a school year pursuant to the other provisions of this  
8 section is not paid on or before June 30 of such school year, then such  
9 payment shall be paid on or after the ensuing July 1, as soon as moneys are  
10 available therefor. Any payment of state foundation aid that is due to be  
11 paid during the month of June of a school year and that is paid to school  
12 districts on or after the ensuing July 1 shall be recorded and accounted for  
13 by school districts as a receipt for the school year ending on the preceding  
14 June 30.

15 New Sec. 8. In the event any school district is paid more than it is  
16 entitled to receive under any distribution made under this act or under any  
17 statute repealed by this act, the state board shall notify the school district  
18 of the amount of such overpayment, and such school district shall remit the  
19 same to the state board. The state board shall remit any moneys so  
20 received to the state treasurer in accordance with the provisions of K.S.A.  
21 75-4215, and amendments thereto. Upon receipt of each such remittance,  
22 the state treasurer shall deposit the entire amount in the state treasury to  
23 the credit of the state school district finance fund. If any school district  
24 fails to remit, the state board shall deduct the excess amounts paid from  
25 future payments becoming due to the school district. In the event any  
26 school district is paid less than the amount it is to receive under any  
27 distribution made under this act, the state board shall pay the additional  
28 amount due at any time within the school year in which the underpayment  
29 was made or within 60 days after the end of such school year.

30 New Sec. 9. On or before October 10 of each school year, the clerk or  
31 superintendent of each school district shall certify under oath to the state  
32 board a report showing the total enrollment of the school district by grades  
33 maintained in the schools of the school district and such other reports as  
34 the state board may require. Each such report shall show postsecondary  
35 education enrollment, career technical education enrollment, special  
36 education enrollment, bilingual education enrollment, at-risk student  
37 enrollment and virtual school enrollment in such detail and form as is  
38 specified by the state board. Upon receipt of such reports, the state board  
39 shall examine the reports and if the state board finds any errors in any such  
40 report, the state board shall consult with the school district officer  
41 furnishing the report and make any necessary corrections in the report. On  
42 or before August 25 of each year, each such clerk or superintendent shall  
43 also certify to the state board a copy of the budget adopted by the school

1 district.

2 New Sec. 10. (a) If the state board determines that the enrollment of a  
3 school district in the preceding school year decreased from the enrollment  
4 in the second preceding school year and that a disaster contributed to such  
5 decrease, the enrollment of such school district in the second school year  
6 following the school year in which the enrollment of the school district  
7 was first affected by the disaster shall be the greater of:

8 (1) The enrollment of preschool-aged at-risk students, if any, plus the  
9 average of the enrollment for the current and the preceding three school  
10 years, excluding the enrollment of preschool-aged at-risk students in each  
11 such year; or

12 (2) the enrollment of the school district, as defined in section 4, and  
13 amendments thereto.

14 (b) As used in this section, "disaster" means the occurrence of  
15 widespread or severe damage, injury or loss of life or property resulting  
16 from flood, earthquake, tornado, wind, storm, drought, blight or  
17 infestation.

18 New Sec. 11. (a) Each school year, the state board shall:

19 (1) Determine the number of students enrolled in each school district  
20 on September 20; and

21 (2) determine the number of military students enrolled in each school  
22 district on February 20, who were not enrolled on the preceding September  
23 20.

24 (b) If the number obtained under subsection (a)(2) is 25 or more, or  
25 such number is at least 1% of the number determined under subsection (a)  
26 (1), an amount equal to the number obtained under subsection (a)(2) shall  
27 be added to the number determined under subsection (a)(1). The resulting  
28 sum is the enrollment of the school district.

29 (c) The state board shall recompute the adjusted enrollment of the  
30 school district and the general fund budget of the school district based on  
31 the enrollment as determined under this section.

32 (d) School districts desiring to determine enrollment under this  
33 section shall submit any documentation or information required by the  
34 state board.

35 (e) As used in this section, the term "military student" means a person  
36 who is a dependent of a full-time active duty member of the military  
37 service or a dependent of a member of any of the United States military  
38 reserve forces who has been ordered to active duty under 10 U.S.C. §§  
39 12301, 12302 or 12304, or ordered to full-time active duty for a period of  
40 more than 30 consecutive days under 32 U.S.C. §§ 502(f) or 512 for the  
41 purposes of mobilizing for war, international peacekeeping missions,  
42 national emergency or homeland defense activities.

43 New Sec. 12. Whenever a new school district has been established or

1 the boundaries of a school district have been changed, the state board shall  
2 make appropriate revisions concerning the affected school districts as may  
3 be necessary for the purposes of this act to reflect such establishment of a  
4 school district or changes in boundaries. Such revisions shall be based on  
5 the most reliable data obtainable from the superintendent of the school  
6 district and the county clerk.

7 New Sec. 13. (a) (1) For the purposes of this act, the total foundation  
8 aid for any school district formed by consolidation in accordance with the  
9 statutory provisions contained in article 87 of chapter 72 of the Kansas  
10 Statutes Annotated, and amendments thereto, shall be computed by the  
11 state board by determining the amount of the total foundation aid each of  
12 the former school districts that comprise the consolidated school district  
13 received in the school year preceding the date the consolidation was  
14 completed, and calculating the sum of such amounts. The sum is the total  
15 foundation aid of the consolidated school district for the school year in  
16 which the consolidation was completed.

17 (2) If any of the former school districts had an enrollment of less than  
18 150 students in the school year preceding the consolidation, the total  
19 foundation aid of the newly consolidated school district for the two school  
20 years following the school year in which the consolidation was completed  
21 shall be the greater of: (A) The amount received in the school year in  
22 which the consolidation was completed; or (B) the amount the school  
23 district would receive under this act.

24 (3) If all of the former school districts had an enrollment of at least  
25 150 students, but any had less than 200 students in the school year  
26 preceding the consolidation, the total foundation aid of the newly  
27 consolidated school district for the three school years following the school  
28 year in which the consolidation was completed shall be the greater of: (A)  
29 The amount received in the school year in which the consolidation was  
30 completed; or (B) the amount the school district would receive under this  
31 act.

32 (4) If all of the former school districts had an enrollment of 200 or  
33 more students in the school year preceding the consolidation, the total  
34 foundation aid of the newly consolidated school district for the four school  
35 years following the school year in which the consolidation was completed  
36 shall be the greater of: (A) The amount received in the school year in  
37 which the consolidation was completed; or (B) the amount the school  
38 district would receive under this act.

39 (5) If the consolidation involved the consolidation of three or more  
40 school districts, regardless of the number of students enrolled in the school  
41 districts, the total foundation aid of the newly consolidated school district  
42 for the four school years following the school year in which the  
43 consolidation was completed shall be the greater of: (A) The amount

1 received in the school year in which the consolidation was completed; or  
2 (B) the amount the school district would receive under this act.

3 (b) (1) The provisions of this subsection shall apply to school districts  
4 that have been enlarged by the attachment of territory pursuant to the  
5 procedure established in article 73 of chapter 72 of the Kansas Statutes  
6 Annotated, and amendments thereto.

7 (2) For the purposes of this act, the total foundation aid for any  
8 school district to which this subsection applies shall be computed by the  
9 state board of education as follows: (A) Determine the amount of the total  
10 foundation aid each of the former school districts that comprise the  
11 enlarged school district received in the school year preceding the date the  
12 attachment was completed; and (B) add the amounts determined under  
13 subparagraph (A). The sum is the total foundation aid of the enlarged  
14 school district for the school year in which the attachment is completed.

15 (3) If any of the former school districts had an enrollment of less than  
16 150 students in the school year preceding the attachment, the total  
17 foundation aid of the enlarged school district for the two school years  
18 following the school year in which the attachment was completed shall be  
19 the greater of: (A) The amount received in the school year in which the  
20 attachment was completed; or (B) the amount the school district would  
21 receive under this act.

22 (4) If all of the former school districts had an enrollment of at least  
23 150 students, but any had less than 200 students in the school year  
24 preceding the attachment, the total foundation aid of the enlarged school  
25 district for the three school years following the school year in which the  
26 attachment was completed shall be the greater of: (A) The amount  
27 received in the school year in which the attachment was completed; or (B)  
28 the amount the school district would receive under this act.

29 (5) If all of the former school districts had an enrollment of 200 or  
30 more students in the school year preceding the attachment, the total  
31 foundation aid of the enlarged school district for the four school years  
32 following the school year in which the attachment was completed shall be  
33 the greater of: (A) The amount received in the school year in which the  
34 attachment was completed; or (B) the amount the school district would  
35 receive under this act.

36 (6) If three or more school districts, regardless of the number of  
37 students enrolled in the school districts, are disorganized and attached to a  
38 single school district, the total foundation aid of the enlarged school  
39 district for the four school years following the school year in which the  
40 attachment was completed shall be the greater of: (A) The amount  
41 received in the school year in which the attachment was completed; or (B)  
42 the amount the school district would receive under this act.

43 (7) Except as specifically provided by this paragraph for the

1 allocation of total foundation aid among school districts, the provisions of  
2 paragraphs (1) through (6) shall be applicable to school districts to which  
3 this paragraph applies. If a school district is disorganized in accordance  
4 with article 73 of chapter 72 of the Kansas Statutes Annotated, and  
5 amendments thereto, and the territory of such school district is attached to  
6 more than one school district, the total foundation aid for each school  
7 district to which any territory from the disorganized school district is  
8 attached, shall be computed by the state board as follows: (A) Determine  
9 the amount of total foundation aid received by the former school district in  
10 the school year preceding the date the disorganization and attachment was  
11 completed; (B) determine the amount of total foundation aid received by  
12 the enlarged school district in the school year preceding the date the  
13 disorganization and attachment was completed; (C) determine the assessed  
14 valuation of the former school district in the school year preceding the date  
15 the disorganization and attachment was completed; (D) determine the  
16 assessed valuation of the territory attached to each enlarged school district;  
17 (E) allocate the amount of the total foundation aid received by the former  
18 school district in the school year preceding the date the disorganization  
19 and attachment was completed to each of the enlarged school districts in  
20 the same proportion the assessed valuation of the territory attached to each  
21 school district bears to the assessed valuation of the former school district;  
22 and (F) add the amounts determined under subparagraphs (B) and (E). The  
23 sum is the total foundation aid of the enlarged school district for the school  
24 year in which the attachment is completed.

25 New Sec. 14. (a) The board of education of each school district shall  
26 levy an ad valorem tax upon the taxable tangible property of the school  
27 district in the school years specified in subsection (b) for the purpose of:

28 (1) Financing that portion of the school district's general fund budget  
29 that is not financed from any other source provided by law;

30 (2) paying a portion of the costs of operating and maintaining public  
31 schools in partial fulfillment of the constitutional obligation of the  
32 legislature to finance the educational interests of the state; and

33 (3) with respect to any redevelopment school district established prior  
34 to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto,  
35 paying a portion of the principal and interest on bonds issued by cities  
36 under authority of K.S.A. 12-1774, and amendments thereto, for the  
37 financing of redevelopment projects upon property located within the  
38 school district.

39 (b) The tax required under subsection (a) shall be levied at a rate of  
40 20 mills in the school years 2017-2018 and 2018-2019.

41 (c) The proceeds from the tax levied by a district under authority of  
42 this section, except the proceeds of such tax levied for the purpose  
43 described in subsection (a)(3), shall be remitted to the state treasurer in

1 accordance with the provisions of K.S.A. 75-4215, and amendments  
2 thereto. Upon receipt of each such remittance, the state treasurer shall  
3 deposit the entire amount in the state treasury to the credit of the state  
4 school district finance fund.

5 (d) No school district shall proceed under K.S.A. 79-1964, 79-1964a  
6 or 79-1964b, and amendments thereto.

7 New Sec. 15. (a) In each school year, the board of education of a  
8 school district may adopt, by resolution, a local option budget that does  
9 not exceed the state prescribed percentage.

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

13 (1) The amount that the board was authorized to adopt under any  
14 resolution adopted pursuant to K.S.A. 2016 Supp. 72-6471, prior to its  
15 expiration; or

16 (2) the state-wide average for the preceding school year as  
17 determined by the state board pursuant to subsection (i).

18 The adoption of a resolution pursuant to this section shall require a  
19 majority vote of the members of the board. Such resolution shall be  
20 effective upon adoption and shall require no other procedure, authorization  
21 or approval.

22 (c) If the board of a school district desires to increase its local option  
23 budget authority above the amount authorized under subsection (b), the  
24 board may adopt, by resolution, such budget in an amount not to exceed  
25 the state prescribed percentage. The adoption of a resolution pursuant to  
26 this subsection shall require a majority vote of the members of the board.  
27 The resolution shall be published at least once in a newspaper having  
28 general circulation in the school district. The resolution shall be published  
29 in substantial compliance with the following form:

30 Unified School District No. \_\_\_\_\_,

31 \_\_\_\_\_ County, Kansas.

32 RESOLUTION

33 Be It Resolved that:

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

1 election called for the purpose or at the next general election, as is  
2 specified by the board of education of the school district.

3 CERTIFICATE

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

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

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

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

30 (e) The board of any school district may initiate procedures to renew  
31 or increase the authority to adopt a local option budget at any time during  
32 a school year after the tax levied pursuant to section 19, and amendments  
33 thereto, is certified to the county clerk under any existing authorization.

34 (f) The board of any school district authorized to adopt a local option  
35 budget prior to July 1, 2017, under a resolution that authorized the  
36 adoption of such budget in accordance with the provisions of K.S.A. 2016  
37 Supp. 72-6471, prior to its expiration, may continue to operate under such  
38 resolution for the period of time specified in the resolution or may  
39 abandon the resolution and operate under the provisions of this section.  
40 Any such school district shall operate under the provisions of this section  
41 after the period of time specified in any previously adopted resolution has  
42 expired.

43 (g) Any resolution adopted pursuant to this section may revoke or

1 repeal any resolution previously adopted by the board. If the resolution  
2 does not revoke or repeal previously adopted resolutions, all resolutions  
3 that are in effect shall expire on the same date. The maximum amount of  
4 the local option budget of a school district under all resolutions in effect  
5 shall not exceed the state prescribed percentage in any school year.

6 (h) (1) There is hereby established in each school district that adopts a  
7 local option budget a supplemental general fund, which shall consist of all  
8 amounts deposited therein or credited thereto according to law.

9 (2) Subject to the limitations imposed under subsection (h)(3),  
10 amounts in the supplemental general fund may be expended for any  
11 purpose for which expenditures from the general fund are authorized or  
12 may be transferred to any categorical fund of the school district. Amounts  
13 in the supplemental general fund attributable to any percentage over 25%  
14 of total foundation aid determined for the current school year may be  
15 transferred to the capital improvements fund of the school district and the  
16 capital outlay fund of the school district if such transfers are specified in  
17 the resolution authorizing the adoption of a local option budget in excess  
18 of 25%.

19 (3) Amounts in the supplemental general fund may not be expended  
20 for the purpose of making payments under any lease-purchase agreement  
21 involving the acquisition of land or buildings that is entered into pursuant  
22 to the provisions of K.S.A. 72-8225, and amendments thereto.

23 (4) (A) Except as provided in subsection (h)(4)(B), any unexpended  
24 moneys remaining in the supplemental general fund of a school district at  
25 the conclusion of any school year in which a local option budget is  
26 adopted shall be maintained in such fund.

27 (B) If the school district received supplemental state aid in the school  
28 year, the state board shall determine the ratio of the amount of  
29 supplemental general state aid received to the amount of the local option  
30 budget of the school district for the school year and multiply the total  
31 amount of the unexpended moneys remaining by such ratio. An amount  
32 equal to the amount of the product shall be transferred to the general fund  
33 of the school district or remitted to the state treasurer in accordance with  
34 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt  
35 of any such remittance, the state treasurer shall deposit the same in the  
36 state treasury to the credit of the state school district finance fund.

37 (i) Each year, the state board shall determine the statewide average  
38 percentage of local option budgets legally adopted by school districts for  
39 the preceding school year.

40 (j) The provisions of this section shall be subject to the provisions of  
41 section 16, and amendments thereto.

42 (k) As used in this section:

43 (1) "Authorized to adopt a local option budget" means that a school



1 district has adopted a resolution pursuant to subsection (c).

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

4 (3) "Total foundation aid" means the same as such term is defined in  
5 section 4, and amendments thereto.

6 New Sec. 16. (a) (1) Subject to the provisions of subsection (e), the  
7 provisions of this subsection shall apply in any school year in which the  
8 amount of BASE aid is \$4,490 or less.

9 (2) The board of education of a school district may adopt a local  
10 option budget that does not exceed the local option budget calculated as if  
11 the BASE aid was \$4,490, or that does not exceed the local option budget  
12 as calculated pursuant to section 15, and amendments thereto, whichever is  
13 greater.

14 (b) The board of education of a school district may adopt a local  
15 option budget that does not exceed the local option budget calculated as if  
16 the school district received state aid for special education and related  
17 services equal to the amount of state aid for special education and related  
18 services received in school year 2008-2009, or that does not exceed the  
19 local option budget as calculated pursuant to section 15, and amendments  
20 thereto, whichever is greater.

21 (c) The board of any school district may exercise the authority  
22 granted under subsection (a) or (b) or both subsections (a) and (b).

23 (d) To the extent that the provisions of section 15, and amendments  
24 thereto, conflict with this section, this section shall control.

25 (e) For school year 2019-2020, and each school year thereafter, the  
26 specified dollar amount used in subsection (a) for purposes of determining  
27 the local option budget of a school district shall be the specified dollar  
28 amount used for the immediately preceding school year plus an amount  
29 equal to the average percentage increase in the consumer price index for  
30 all urban consumers in the midwest region as published by the bureau of  
31 labor statistics of the United States department of labor during the three  
32 immediately preceding school years.

33 New Sec. 17. (a) In each school year, each school district that has  
34 adopted a local option budget is eligible to receive supplemental state aid.  
35 Except as provided by section 18, and amendments thereto, supplemental  
36 state aid shall be determined by the state board as provided in subsection  
37 (b).

38 (b) The state board shall:

39 (1) (A) For school year 2017-2018, determine the amount of the  
40 assessed valuation per student in the preceding school year of each school  
41 district; and

42 (B) for school year 2018-2019 and each school year thereafter,  
43 determine the average assessed valuation per student of each school

1 district by adding the assessed valuation per student for each of the three  
2 immediately preceding school years and dividing the resulting sum by  
3 three;

4 (2) rank the school districts from low to high on the basis of the  
5 amounts of assessed valuation per student determined under subsection (b)  
6 (1);

7 (3) identify the amount of the assessed valuation per student located  
8 at the 81.2 percentile of the amounts ranked under subsection (b)(2);

9 (4) divide the assessed valuation per student of the school district as  
10 determined under subsection (b)(1) by the amount identified under  
11 subsection (b)(3); and

12 (5) (A) if the quotient obtained under subsection (b)(4) equals or  
13 exceeds one, the school district shall not receive supplemental state aid; or

14 (B) if the quotient obtained under subsection (b)(4) is less than one,  
15 subtract the quotient obtained under subsection (b)(4) from one, and  
16 multiply the difference by the amount of the local option budget of the  
17 school district for the immediately preceding school year. The resulting  
18 product is the amount of supplemental state aid the school district is to  
19 receive for the school year.

20 (c) Payments of supplemental state aid shall be distributed to school  
21 districts on the dates prescribed by the state board. The state board shall  
22 certify to the director of accounts and reports the amount due each school  
23 district, and the director of accounts and reports shall draw a warrant on  
24 the state treasurer payable to the treasurer of the school district. Upon  
25 receipt of the warrant, the treasurer of the school district shall credit the  
26 amount thereof to the supplemental general fund of the school district to  
27 be used for the purposes of such fund.

28 (d) For the purposes of determining the total amount of state moneys  
29 paid to school districts, all moneys appropriated as supplemental state aid  
30 shall be deemed to be state moneys for educational and support services  
31 for school districts.

32 New Sec. 18. (a) (1) For the purposes of determining the amount of  
33 supplemental state aid, the state board shall determine the ranking of each  
34 of the former school districts of which the school district is composed as  
35 required by section 17(b)(2), and amendments thereto, for the school year  
36 prior to the effectuation of the consolidation or attachment.

37 (2) For the school year in which the consolidation or attachment is  
38 effectuated and the next succeeding two school years, the ranking of the  
39 school district for the purposes of section 17(b)(2), and amendments  
40 thereto, shall be the ranking of the school district receiving the highest  
41 amount of supplemental state aid determined under subsection (a)(1).

42 (b) The provisions of this section shall apply to school districts that  
43 have consolidated or disorganized on and after July 1, 2004.

1 (c) As used in this section, "school district" means:

2 (1) Any school district formed by consolidation in accordance with  
3 article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments  
4 thereto; or

5 (2) any school district formed by disorganization and attachment in  
6 accordance with article 73 of chapter 72 of the Kansas Statutes Annotated,  
7 and amendments thereto, if all the territory which comprised a  
8 disorganized school district is attached to a single school district.

9 New Sec. 19. (a) In each school year, the board of each school district  
10 that has adopted a local option budget may levy an ad valorem tax on the  
11 taxable tangible property of the school district for the purposes of:

12 (1) Financing that portion of the school district's local option budget  
13 that is not financed from any other source provided by law;

14 (2) paying a portion of the principal and interest on bonds issued by  
15 cities under authority of K.S.A. 12-1774, and amendments thereto, for the  
16 financing of redevelopment projects upon property located within the  
17 school district; and

18 (3) funding transfers to the capital improvement fund of the school  
19 district and the capital outlay fund of the school district if such transfers  
20 are specified in the resolution authorizing the adoption of a local option  
21 budget in excess of 25% of the total foundation aid determined for the  
22 current school year.

23 (b) The proceeds from the tax levied by a school district under  
24 authority of this section, except the proceeds of such tax levied for the  
25 purpose of paying a portion of the principal and interest on bonds issued  
26 by cities under authority of K.S.A. 12-1774, and amendments thereto, for  
27 the financing of redevelopment projects upon property located within the  
28 school district, shall be deposited in the supplemental general fund of the  
29 school district.

30 (c) No school district shall proceed under K.S.A. 79-1964, 79-1964a  
31 or 79-1964b, and amendments thereto.

32 New Sec. 20. (a) The transportation weighting of each school district  
33 shall be determined by the state board as follows:

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

37 (2) determine the sum of: (A) The number of students who were  
38 included in the enrollment of the school district in the preceding school  
39 year who resided less than 2½ miles by the usually traveled road from the  
40 school building such students attended and for whom transportation was  
41 made available by the school district; and (B) the number of nonresident  
42 students who were included in the enrollment of the school district for the  
43 preceding school year and for whom transportation was made available by

1 the school district;

2 (3) determine the number of students who were included in the  
3 enrollment of the district in the preceding school year who resided  $2\frac{1}{2}$   
4 miles or more by the usually traveled road from the school building such  
5 students attended and for whom transportation was made available by the  
6 school district;

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

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

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

12 (7) multiply the sum obtained under subsection (a)(6) by the amount  
13 determined under subsection (a)(3);

14 (8) divide the amount determined under subsection (a)(1) by the  
15 product obtained under subsection (a)(7). The resulting quotient is the per-  
16 student cost of transportation;

17 (9) on a density-cost graph, plot the per-student cost of transportation  
18 for each school district;

19 (10) construct a curve of best fit for the points so plotted;

20 (11) locate the index of density for the school district on the base line  
21 of the density-cost graph and from the point on the curve of best fit  
22 directly above this point of index of density follow a line parallel to the  
23 base line to the point of intersection with the vertical line, which point is  
24 the formula per-student cost of transportation of the school district;

25 (12) divide the formula per-student cost of transportation of the  
26 school district by the BASE aid; and

27 (13) multiply the quotient obtained under subsection (a)(12) by the  
28 number of students who are included in the enrollment of the school  
29 district, are residing  $2\frac{1}{2}$  miles or more by the usually traveled road to the  
30 school building they attend, and for whom transportation is being made  
31 available by, and at the expense of, the district.

32 (b) (1) For school years 2017-2018 and 2018-2019, the transportation  
33 weighting of the school district shall be either the product determined  
34 under subsection (a)(13), or that portion of such school district's general  
35 state aid for school year 2016-2017 that was attributable to the school  
36 district's transportation weighting, whichever is greater.

37 (2) For school year 2019-2020, and each school year thereafter, the  
38 transportation weighting of the school district shall be the product  
39 determined under subsection (a)(13).

40 (c) For the purpose of providing accurate and reliable data on student  
41 transportation, the state board is authorized to adopt rules and regulations  
42 prescribing procedures that school districts shall follow in reporting  
43 pertinent information, including uniform reporting of expenditures for

1 transportation.

2 (d) As used in this section:

3 (1) "Curve of best fit" means the curve on a density-cost graph drawn  
4 so the sum of the distances squared from such line to each of the points  
5 plotted on the graph is the least possible.

6 (2) "Density-cost graph" means a drawing having: (A) A horizontal or  
7 base line divided into equal intervals of density, beginning with zero on the  
8 left; and (B) a scale for per-student cost of transportation to be shown on a  
9 line perpendicular to the base line at the left end thereof, such scale to  
10 begin with zero dollars at the base line ascending by equal per-student cost  
11 intervals.

12 (3) "Index of density" means the number of students who are  
13 included in the enrollment of a school district in the current school year,  
14 are residing the designated distance or more by the usually traveled road  
15 from the school building they attend, and for whom transportation is being  
16 made available on regular school routes by the school district, divided by  
17 the number of square miles of territory in the school district.

18 New Sec. 21. (a) The low enrollment weighting of each school  
19 district shall be determined by the state board as follows:

20 (1) For school districts with an enrollment of fewer than 100 students,  
21 multiply the enrollment of the school district by 1.014331. The resulting  
22 product is the low enrollment weighting of the school district;

23 (2) for school districts with an enrollment of at least 100 students, but  
24 fewer than 300 students:

25 (A) Subtract 100 from the enrollment of the school district;

26 (B) multiply the difference obtained under subsection (a)(2)(A) by  
27 9.655;

28 (C) subtract the product obtained under subsection (a)(2)(B) from  
29 7,337;

30 (D) divide the difference obtained under subsection (a)(2)(C) by  
31 3,642.4;

32 (E) subtract one from the quotient obtained under subsection (a)(2)  
33 (D); and

34 (F) multiply the difference obtained under subsection (a)(2)(E) by the  
35 enrollment of the school district. The resulting product is the low  
36 enrollment weighting of the school district;

37 (3) for school districts with an enrollment of at least 300 students, but  
38 fewer than 1,622 students:

39 (A) Subtract 300 from the enrollment of the school district;

40 (B) multiply the difference obtained under subsection (a)(3)(A) by  
41 1.2375;

42 (C) subtract the product obtained under subsection (a)(3)(B) from  
43 5,406;

1 (D) divide the difference obtained under subsection (a)(3)(C) by  
2 3,642.4;

3 (E) subtract one from the quotient obtained under subsection (c)(D);  
4 and

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

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

11 New Sec. 22. (a) The bilingual weighting of each school district shall  
12 be determined by the state board as follows:

13 (1) Determine the full-time equivalent enrollment in approved  
14 programs of bilingual education during the preceding school year and  
15 multiply such enrollment by 0.361;

16 (2) determine the number of students enrolled in approved programs  
17 of bilingual education during the preceding school year and multiply such  
18 enrollment by 0.185; and

19 (3) the bilingual weighting shall be either the amount determined  
20 under paragraph (1) or (2), whichever is greater.

21 (b) In recognition of the continuing work of the state board in  
22 evaluating bilingual educational programs and to allow the legislature time  
23 to review the bilingual weighting to ensure that the weighting is  
24 reasonably calculated to have students meet or exceed the educational goal  
25 set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, the  
26 provisions of this section shall expire on July 1, 2020.

27 New Sec. 23. (a) The at-risk student weighting of each school district  
28 shall be determined by the state board as follows:

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

31 (2) for a school district with an enrollment that consists of 10% or  
32 more at-risk students, multiply the number determined under subsection  
33 (a)(1) by 0.456. The resulting sum is the at-risk student weighting of the  
34 school district; or

35 (3) for a school district with an enrollment that consists of less than  
36 10% at-risk students, multiply the number of students equal to 10% of  
37 such school district's enrollment by 0.456. The resulting sum is the at-risk  
38 student weighting of the school district. A school district whose at-risk  
39 student weighting is determined pursuant to this paragraph shall submit a  
40 report to the state board in such form and manner as required by the state  
41 board that identifies those students enrolled in such school district who are  
42 receiving at-risk program services and the criteria each such student  
43 satisfies in order to receive at-risk program services. The state board shall

1 adopt rules and regulations that establish the criteria for eligibility for at-  
2 risk program services. The provisions of this paragraph shall only apply to  
3 those school districts that offer instruction in kindergarten and grades one  
4 through 12.

5 (b) The high-density at-risk student weighting of each school district  
6 shall be determined by the state board as follows:

7 (1) If the enrollment of the school district is at least 35% at-risk  
8 students, but less than 50% at-risk students:

9 (A) Subtract 35% from the percentage of at-risk students included in  
10 the enrollment of the school district;

11 (B) multiply the difference determined under subsection (b)(1)(A) by  
12 0.7; and

13 (C) multiply the product determined under subsection (b)(1)(B) by  
14 the number of at-risk students included in the enrollment of the school  
15 district. The resulting product is the high-density at-risk student weighting  
16 of the school district; or

17 (2) if the enrollment of the school district is 50% or more at-risk  
18 students, multiply the number of at-risk students included in the  
19 enrollment of the school district by 0.105. The resulting product is the  
20 high-density at-risk student weighting of the school district.

21 (c) In recognition of the continuing work of the state board in  
22 evaluating at-risk educational programs and to allow the legislature time to  
23 review the at-risk weighting to ensure that the weighting is reasonably  
24 calculated to have students meet or exceed the educational goal set forth in  
25 K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, the provisions of  
26 this section shall expire on July 1, 2020.

27 New Sec. 24. (a) If a student submits an application for free meals  
28 under the national school lunch act on or before the date on which the  
29 enrollment of the school district is calculated and it is later determined by  
30 the school district or the department of education that the student should  
31 not have been eligible for free meals, the school district or the department  
32 shall notify the state board of such determination. Except as provided in  
33 subsection (b), upon receipt of such notice, the state board shall recompute  
34 the adjusted enrollment of the school district and the general fund budget  
35 of the school district based on the adjusted enrollment of the school district  
36 excluding the at-risk student weighting and high density at-risk student  
37 weighting, if any, assigned to such student.

38 (b) If a student becomes ineligible to receive free meals under the  
39 national school lunch act for failure to submit, in a timely manner, any  
40 documentation necessary for verification of eligibility as required by the  
41 national school lunch act, but subsequently submits such documentation,  
42 such student shall not be excluded from the calculation of the adjusted  
43 enrollment of the school district if the school district forwards a copy of

1 such documentation to the state board no later than January 14 of the  
2 school year.

3 New Sec. 25. (a) There is hereby established in every school district  
4 an at-risk education fund, which shall consist of all moneys deposited  
5 therein or transferred thereto according to law. The expenses of a school  
6 district directly attributable to providing at-risk student assistance or  
7 programs shall be paid from the at-risk education fund.

8 (b) Any balance remaining in the at-risk education fund at the end of  
9 the budget year shall be carried forward into the at-risk education fund for  
10 succeeding budget years. Such fund shall not be subject to the provisions  
11 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing  
12 the budget of such school district, the amounts credited to and the amount  
13 on hand in the at-risk education fund, and the amount expended therefrom  
14 shall be included in the annual budget for the information of the residents  
15 of the school district. Interest earned on the investment of moneys in any  
16 such fund shall be credited to that fund.

17 (c) Expenditures from the at-risk education fund of a school district  
18 shall only be made for the following purposes:

19 (1) At-risk educational programs approved by the state board;

20 (2) personnel providing educational services in conjunction with such  
21 programs;

22 (3) services contracted for by the school district to provide at-risk  
23 educational programs; or

24 (4) assistance or programs provided for students who are identified as  
25 at-risk pursuant to policies and procedures adopted by the state board.

26 (d) Each year the board of education of each school district shall  
27 prepare and submit to the state board a report on the at-risk student  
28 assistance or programs provided by the school district. Such report shall  
29 include the number of at-risk students who were served or provided  
30 assistance, the type of service provided, the research upon which the  
31 school district relied in determining that a need for service or assistance  
32 existed, the results of providing such service or assistance and any other  
33 information required by the state board.

34 (e) In order to achieve uniform reporting of the number of students  
35 provided service or assistance by school districts in at-risk student  
36 programs, school districts shall report the number of students served or  
37 assisted in the manner required by the state board.

38 New Sec. 26. (a) There is hereby established in every school district a  
39 preschool-aged at-risk education fund, which shall consist of all moneys  
40 deposited therein or transferred thereto according to law. The expenses of a  
41 school district directly attributable to providing preschool-aged at-risk  
42 assistance or programs shall be paid from the preschool-aged at-risk  
43 education fund.



1 (b) Any balance remaining in the preschool-aged at-risk education  
2 fund at the end of the budget year shall be carried forward into the  
3 preschool-aged at-risk education fund for succeeding budget years. Such  
4 fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-  
5 2937, and amendments thereto. In preparing the budget of such school  
6 district, the amounts credited to and the amount on hand in the preschool-  
7 aged at-risk education fund, and the amount expended therefrom shall be  
8 included in the annual budget for the information of the residents of the  
9 school district. Interest earned on the investment of moneys in any such  
10 fund shall be credited to that fund.

11 (c) Each year the board of each school district shall prepare and  
12 submit to the state board a report on the preschool-aged at-risk student  
13 assistance or programs provided by the school district. Such report shall  
14 include the number of students who were served or provided assistance,  
15 the type of service provided, the research upon which the school district  
16 relied in determining that a need for service or assistance existed, the  
17 results of providing such service or assistance and any other information  
18 required by the state board.

19 New Sec. 27. (a) The career technical education weighting of each  
20 school district shall be determined by the state board by multiplying the  
21 full-time equivalent enrollment in approved career technical education  
22 programs during the preceding school year by 0.5. The resulting product is  
23 the career technical education weighting of the school district.

24 (b) The provisions of this section shall expire on July 1, 2018.

25 New Sec. 28. (a) For each school year in which the school facilities  
26 weighting may be assigned to the enrollment of the school district, such  
27 weighting of such school district shall be determined by the state board as  
28 follows:

29 (1) Determine the number of students included in the enrollment of  
30 the school district who are attending a new school facility;

31 (2) multiply the number of students determined under subsection (a)  
32 (1) by 0.25. The resulting product is the school facilities weighting of the  
33 school district.

34 (b) The school facilities weighting may be assigned to the enrollment  
35 of a school district only if:

36 (1) The school district adopted a local option budget for school year  
37 2014-2015 in an amount equal to at least 25% of the amount of the state  
38 financial aid determined for the school district in such school year  
39 pursuant to K.S.A. 72-6433, prior to its repeal;

40 (2) the contractual bond obligations incurred by the school district  
41 were approved by the electors of the school district at an election held on  
42 or before July 1, 2015; and

43 (3) (A) the school district commences operation of a new school

1 facility and the construction of such facility was financed primarily with  
2 such contractual bond obligations; or

3 (B) the school district commences operation of a new school facility  
4 and the construction of such facility was financed primarily with federal  
5 funds and such facility is located on a military reservation.

6 (c) The school facilities weighting may be assigned to the enrollment  
7 of the school district only in the school year in which operation of a new  
8 school facility is commenced and in the next succeeding school year.

9 New Sec. 29. The special education and related services weighting of  
10 each school district shall be determined by the state board as follows:

11 (a) Add the amount of payments received by the school district under  
12 the provisions of K.S.A. 72-979, and amendments thereto, to the amount  
13 of any grants received by the school district under the provisions of K.S.A.  
14 72-983, and amendments thereto; and

15 (b) divide the sum obtained under subsection (a) by the BASE aid.  
16 The resulting quotient is the special education and related services  
17 weighting of the school district.

18 New Sec. 30. (a) (1) The board of education of a school district to  
19 which the provisions of this section apply may levy an ad valorem tax on  
20 the taxable tangible property of the school district each year for a period of  
21 time not to exceed two years in an amount not to exceed the amount  
22 authorized by the state board of tax appeals under this subsection for the  
23 purpose of financing the costs incurred by the state that are directly  
24 attributable to assignment of ancillary school facilities weighting to the  
25 enrollment of the school district. The state board of tax appeals may  
26 authorize the school district to make a levy that will produce an amount  
27 that is not greater than the difference between the amount of costs directly  
28 attributable to commencing operation of one or more new school facilities  
29 and the amount that is financed from any other source provided by law for  
30 such purpose. If the school district is not eligible, or will be ineligible, for  
31 ancillary school facilities weighting in any one or more years during the  
32 two-year period for which the school district is authorized to levy a tax  
33 under this subsection, the state board of tax appeals may authorize the  
34 school district to make a levy, in such year or years of ineligibility, that  
35 will produce an amount that is not greater than the actual amount of costs  
36 attributable to commencing operation of the facility or facilities.

37 (2) The state board of tax appeals shall certify to the state board the  
38 amount authorized to be produced by the levy of a tax under this  
39 subsection.

40 (3) The state board of tax appeals may adopt rules and regulations  
41 necessary to effectuate the provisions of this subsection, including rules  
42 and regulations relating to the evidence required in support of a school  
43 district's claim that the costs attributable to commencing operation of one

1 or more new school facilities are in excess of the amount that is financed  
2 from any other source provided by law for such purpose.

3 (b) The board of education of a school district that has levied an ad  
4 valorem tax on the taxable tangible property of the school district each  
5 year for a period of two years under authority of subsection (a) may  
6 continue to levy such tax under authority of this subsection each year for  
7 an additional period of time not to exceed six years in an amount not to  
8 exceed the amount computed by the state board as provided in this  
9 subsection if the board of the school district determines that the costs  
10 attributable to commencing operation of one or more new school facilities  
11 are significantly greater than the costs attributable to the operation of other  
12 school facilities in the school district. The tax authorized under this  
13 subsection may be levied at a rate that will produce an amount that is not  
14 greater than the amount computed by the state board as provided in this  
15 subsection. In computing such amount, the state board shall:

16 (1) Determine the amount produced by the tax levied by the school  
17 district under authority of subsection (a) in the second year for which such  
18 tax was levied and add to such amount the amount of state foundation aid  
19 directly attributable to ancillary school facilities weighting that was  
20 received by the school district in the same year;

21 (2) compute 90% of the amount of the sum obtained under subsection  
22 (b)(1), which computed amount is the amount the school district may levy  
23 in the first year of the six-year period for which the school district may  
24 levy a tax under authority of this subsection;

25 (3) compute 75% of the amount of the sum obtained under subsection  
26 (b)(1), which computed amount is the amount the school district may levy  
27 in the second year of the six-year period for which the school district may  
28 levy a tax under authority of this subsection;

29 (4) compute 60% of the amount of the sum obtained under subsection  
30 (b)(1), which computed amount is the amount the school district may levy  
31 in the third year of the six-year period for which the school district may  
32 levy a tax under authority of this subsection;

33 (5) compute 45% of the amount of the sum obtained under subsection  
34 (b)(1), which computed amount is the amount the school district may levy  
35 in the fourth year of the six-year period for which the school district may  
36 levy a tax under authority of this subsection;

37 (6) compute 30% of the amount of the sum obtained under subsection  
38 (b)(1), which computed amount is the amount the school district may levy  
39 in the fifth year of the six-year period for which the school district may  
40 levy a tax under authority of this subsection; and

41 (7) compute 15% of the amount of the sum obtained under subsection  
42 (b)(1), which computed amount is the amount the school district may levy  
43 in the sixth year of the six-year period for which the school district may

1 levy a tax under authority of this subsection.

2 In determining the amount produced by the tax levied by the school  
3 district under authority of subsection (a), the state board shall include any  
4 moneys apportioned to the ancillary school facilities fund of the school  
5 district from taxes levied under the provisions of K.S.A. 79-5101 et seq.  
6 and 79-5118 et seq., and amendments thereto.

7 (c) The proceeds from any tax levied by a school district under  
8 authority of this section shall be remitted to the state treasurer in  
9 accordance with the provisions of K.S.A. 75-4215, and amendments  
10 thereto. Upon receipt of each such remittance, the state treasurer shall  
11 deposit the entire amount in the state treasury to the credit of the state  
12 school district finance fund.

13 (d) The ancillary school facilities weighting may be assigned to the  
14 enrollment of a school district only if the school district has levied a tax  
15 under the authority of subsection (a), and remitted the proceeds from such  
16 tax to the state treasurer. The ancillary school facilities weighting of each  
17 school district shall be determined in each school year in which such  
18 weighting may be assigned to the enrollment of the school district as  
19 follows:

20 (1) Add the amount to be produced by a tax levy as authorized under  
21 subsection (a) and certified to the state board by the state board of tax  
22 appeals to the amount computed under subsection (b) to be produced by a  
23 tax levy, if any; and

24 (2) divide the sum obtained under subsection (d)(1) by the BASE aid.  
25 The resulting quotient is the ancillary school facilities weighting of the  
26 school district.

27 (e) The provisions of this section apply to any school district that:

28 (1) Commenced operation of one or more new school facilities in the  
29 school year preceding the current school year or has commenced or will  
30 commence operation of one or more new school facilities in the current  
31 school year;

32 (2) adopted a local option budget; and

33 (3) is experiencing extraordinary enrollment growth as determined by  
34 the state board.

35 New Sec. 31. (a) Subject to subsection (b), the board of education of  
36 a school district may levy a tax on the taxable tangible property within the  
37 school district for the purpose of financing the costs incurred by the state  
38 that are attributable directly to assignment of the cost-of-living weighting  
39 to the enrollment of the school district.

40 (b) The state board shall determine whether a school district may levy  
41 a tax under this section as follows:

42 (1) Determine the statewide average appraised value of single family  
43 residences for the calendar year preceding the current school year;

1 (2) multiply the amount determined under subsection (b)(1) by 1.25;  
 2 (3) determine the average appraised value of single family residences  
 3 in each school district for the calendar year preceding the current school  
 4 year; and

5 (4) subtract the amount determined under subsection (b)(2) from the  
 6 amount determined under subsection (b)(3). If the amount determined for  
 7 the school district is a positive number and the school district has adopted  
 8 a local option budget in an amount equal to at least 31% of the total  
 9 foundation aid for the school district, the school district qualifies for  
 10 assignment of cost-of-living weighting and may levy a tax on the taxable  
 11 tangible property of the school district for the purpose of financing the  
 12 costs that are attributable directly to assignment of the cost-of-living  
 13 weighting to the enrollment of the school district.

14 (c) (1) No tax may be levied under this section unless the board of  
 15 education adopts a resolution authorizing such a tax levy and publishes the  
 16 resolution at least once in a newspaper having general circulation in the  
 17 school district. Except as provided by subsection (e), the resolution shall  
 18 be published in substantial compliance with the following form:

19 Unified School District No. \_\_\_\_\_,  
 20 \_\_\_\_\_ County, Kansas.

21 RESOLUTION

22 Be It Resolved that:

23 The board of education of the above-named school district shall be  
 24 authorized to levy an ad valorem tax in an amount not to exceed the  
 25 amount necessary to finance the costs attributable directly to the  
 26 assignment of cost-of-living weighting to the enrollment of the school  
 27 district. The ad valorem tax authorized by this resolution may be levied  
 28 unless a petition in opposition to the same, signed by not less than 5% of  
 29 the qualified electors of the school district, is filed with the county election  
 30 officer of the home county of the school district within 30 days after the  
 31 publication of this resolution. If a petition is filed, the county election  
 32 officer shall submit the question of whether the levy of such a tax shall be  
 33 authorized in accordance with the provisions of this resolution to the  
 34 electors of the school district at the next general election of the school  
 35 district, as is specified by the board of education of the school district.

36 CERTIFICATE

37 This is to certify that the above resolution was duly adopted by the  
 38 board of education of Unified School District No. \_\_\_\_\_,  
 39 \_\_\_\_\_ County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_, (year) \_\_\_\_.

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

42 (2) All of the blanks in the resolution shall be filled appropriately. If  
 43 no petition as specified above is filed in accordance with the provisions of

1 the resolution, the resolution authorizing the ad valorem tax levy shall  
2 become effective. If a petition is filed as provided in the resolution, the  
3 board may notify the county election officer to submit the question of  
4 whether such tax levy shall be authorized. If the board fails to notify the  
5 county election officer within 30 days after a petition is filed, the  
6 resolution shall be deemed abandoned and of no force and effect and no  
7 like resolution shall be adopted by the board within the nine months  
8 following publication of the resolution. If a majority of the votes cast in an  
9 election conducted pursuant to this provision is in favor of the resolution,  
10 such resolution shall be effective on the date of such election. If a majority  
11 of the votes cast is not in favor of the resolution, the resolution shall be  
12 deemed of no force and effect and no like resolution shall be adopted by  
13 the board within the nine months following such election.

14 (d) There is hereby established in every school district a cost-of-  
15 living fund, which shall consist of all moneys deposited therein or  
16 transferred thereto in accordance with law. All moneys derived from a tax  
17 imposed pursuant to this section shall be credited to the cost-of-living  
18 fund. The proceeds from the tax levied by a school district credited to the  
19 cost-of-living fund shall be remitted to the state treasurer in accordance  
20 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
21 receipt of each such remittance, the state treasurer shall deposit the entire  
22 amount in the state treasury to the credit of the state school district finance  
23 fund.

24 (e) In determining the amount produced by the tax levied by the  
25 school district under the authority of this section, the state board shall  
26 include any moneys apportioned to the cost-of-living fund of the school  
27 district from taxes levied under the provisions of K.S.A. 79-5101 et seq.  
28 and 79-5118 et seq., and amendments thereto.

29 (f) The cost-of-living weighting of a school district shall be  
30 determined by the state board in each school year in which such weighting  
31 may be assigned to the enrollment of the school district as follows:

32 (1) Divide the amount determined under subsection (b)(4) by the  
33 amount determined under subsection (b)(2);

34 (2) multiply the quotient determined under subsection (f)(1) by 0.095;

35 (3) multiply the school district's total foundation aid for the current  
36 school year, excluding the amount determined under this provision, by the  
37 lesser of the product determined under subsection (f)(2) or 0.05; and

38 (4) divide the product determined under subsection (f)(3) by the  
39 BASE aid for the current school year. The quotient is the cost-of-living  
40 weighting of the school district.

41 New Sec. 32. (a) (1) (A) The board of education of a school district  
42 may levy an ad valorem tax on the taxable tangible property of the school  
43 district each year for a period of time not to exceed two years, unless

1 authority to make such levy is renewed by the state board of tax appeals, in  
2 an amount not to exceed the amount authorized by the state board of tax  
3 appeals under this section for the purpose of financing the costs incurred  
4 by the state that are directly attributable to assignment of declining  
5 enrollment weighting to the enrollment of the school district. The state  
6 board of tax appeals may authorize the school district to make a levy that  
7 will produce an amount that is not greater than the amount of revenues lost  
8 as a result of the declining enrollment of the school district. Such amount  
9 shall not exceed 5% of the general fund budget of the school district in the  
10 school year in which the school district applies to the state board of tax  
11 appeals for authority to make a levy pursuant to this subsection. The state  
12 board of tax appeals may renew the authority to make such levy for  
13 periods of time not to exceed two years.

14 (B) For school year 2017-2018, as an alternative to the authority  
15 provided in subsection (a)(1)(A), if a school district was authorized to  
16 make a levy pursuant to K.S.A. 72-6451, prior to its repeal, in school year  
17 2006-2007, such school district shall remain authorized to make a levy at a  
18 rate necessary to generate revenue equal to  $\frac{1}{2}$  of the amount that was  
19 generated in school year 2007-2008.

20 (2) The state board of tax appeals shall certify to the state board the  
21 amount authorized to be produced by the levy of a tax under this section.

22 (3) The state board shall prescribe guidelines for the data that school  
23 districts shall include in cases before the state board of tax appeals  
24 pursuant to this section. The state board shall provide to the state board of  
25 tax appeals such school data and information requested by the state board  
26 of tax appeals and any other information deemed necessary by the state  
27 board.

28 (b) There is hereby established in every school district a declining  
29 enrollment fund, which shall consist of all moneys deposited therein or  
30 transferred thereto according to law. The proceeds from the tax levied by a  
31 school district under authority of this section shall be credited to the  
32 declining enrollment fund of the school district. The proceeds from the tax  
33 levied by a school district credited to the declining enrollment fund shall  
34 be remitted to the state treasurer in accordance with the provisions of  
35 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
36 remittance, the state treasurer shall deposit the entire amount in the state  
37 treasury to the credit of the state school district finance fund.

38 (c) In determining the amount produced by the tax levied by the  
39 school district under authority of this section, the state board shall include  
40 any moneys apportioned to the declining enrollment fund of the school  
41 district from taxes levied under the provisions of K.S.A. 79-5101 et seq.  
42 and 79-5118 et seq., and amendments thereto.

43 (d) The declining enrollment weighting of a school district shall be

1 determined by the state board in each school year in which such weighting  
2 may be assigned to the enrollment of the school district. The state board  
3 shall divide the amount certified under subsection (a)(2) by the BASE aid.  
4 The resulting quotient is the declining enrollment weighting of the school  
5 district.

6 (e) As used in this section:

7 (1) "Declining enrollment" means an enrollment that has declined in  
8 amount from that of the second preceding school year.

9 (2) "School district" means a school district that: (A) Has a declining  
10 enrollment; and (B) has adopted a local foundation budget in an amount  
11 that equals at least 31% of the total foundation aid for the school district at  
12 the time the school district applies to the state board of tax appeals for  
13 authority to make a levy pursuant to this section.

14 (f) The provisions of this section shall expire on July 1, 2018.

15 New Sec. 33. For the purpose of determining the general fund budget  
16 of a school district, weightings shall not be assigned to a student enrolled  
17 in and attending KAMS. Moneys in the general fund that are attributable  
18 to a student enrolled in and attending KAMS shall not be included in the  
19 computation of the local option budget of the school district.

20 New Sec. 34. (a) There is hereby established in every school district a  
21 career and postsecondary education fund, which shall consist of all  
22 moneys deposited therein or transferred thereto according to law. All  
23 moneys received by a school district for any course or program authorized  
24 and approved under the provisions of article 44 of chapter 72 of the  
25 Kansas Statutes Annotated, and amendments thereto, except for courses  
26 and programs conducted in an area vocational school, shall be credited to  
27 the career and postsecondary education fund. All moneys received by the  
28 school district from tuition, fees or charges or from any other source for  
29 career technical education courses or programs, except for courses and  
30 programs conducted in an area vocational school, shall be credited to the  
31 career and postsecondary education fund. All moneys received by the  
32 school district from tuition, fees or charges or from any other source for  
33 postsecondary education courses or programs shall be credited to the  
34 career and postsecondary education fund.

35 (b) Expenditures made by a school district that are directly  
36 attributable to the following shall be paid from the career and  
37 postsecondary education fund:

38 (1) Career technical education;

39 (2) postsecondary education courses; and

40 (3) courses provided through distance-learning technology.

41 (c) Any balance remaining in the career and postsecondary education  
42 fund at the end of the budget year shall be carried forward into the career  
43 and postsecondary education fund for succeeding budget years. Such fund



1 shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937,  
2 and amendments thereto. In preparing the budget of such school district,  
3 the amounts credited to and the amount on hand in the career and  
4 postsecondary education fund, and the amount expended therefrom shall  
5 be included in the annual budget for the information of the residents of the  
6 school district.

7 New Sec. 35. There is hereby established in every school district a  
8 driver training fund, which shall consist of all moneys deposited therein or  
9 transferred thereto according to law. All moneys received by the school  
10 district from distributions made from the state safety fund and the  
11 motorcycle safety fund and from tuition, fees or charges for driver training  
12 courses shall be credited to the driver training fund. The expenses of a  
13 school district directly attributable to driver training shall be paid from the  
14 driver training fund.

15 New Sec. 36. There is hereby established in every school district a  
16 food service fund, which shall consist of all moneys deposited therein or  
17 transferred thereto according to law. All moneys received by the school  
18 district for food service and from charges for food service shall be credited  
19 to the food service fund. The expenses of a school district attributable to  
20 food service shall be paid from the food service fund.

21 New Sec. 37. There is hereby established in every school district a  
22 contingency reserve fund, which shall consist of all moneys deposited  
23 therein or transferred thereto according to law. The fund shall be  
24 maintained for payment of expenses of a school district attributable to  
25 financial contingencies as determined by the board.

26 New Sec. 38. (a) Except as otherwise provided in this section, any  
27 revenues of a school district, not required by law to be deposited in or  
28 credited to a specific fund, shall be deposited in or credited to any  
29 categorical fund of the school district or to the capital outlay fund of the  
30 school district.

31 (b) At the discretion of the board of education of a school district,  
32 revenues earned from the investment of an activity fund of the school  
33 district in accordance with the provisions of K.S.A. 12-1675, and  
34 amendments thereto, may be deposited in or credited to such activity fund.

35 (c) (1) At the discretion of the board and subject to subsection (c)(2),  
36 any revenues specified in subsections (a) and (b) may be deposited in or  
37 credited to the general fund of the school district in any school year for  
38 which the allotment system authorized under K.S.A. 75-3722, and  
39 amendments thereto, has been inaugurated and applied to appropriations  
40 made for state foundation aid, or in any school year for which any portion  
41 of the appropriations made for state foundation aid are lapsed by an act of  
42 the legislature.

43 (2) In no event may the amount of revenues deposited in or credited

1 to the general fund of the school district under authority of subsection (c)  
2 (1) exceed an amount equal to the amount of the reduction in state  
3 foundation aid paid to the school district determined by the state board to  
4 be the result of application of the allotment system to the appropriations  
5 made for state foundation aid or of the lapse of any portion thereof by an  
6 act of the legislature.

7 (d) At the discretion of the board, revenues received by the school  
8 district from the federal government as the school district's share of the  
9 proceeds derived from sale by the federal government of its rights to oil,  
10 gas and other minerals located beneath the surface of lands within the  
11 school district's boundaries may be deposited in the bond and interest fund  
12 of the school district and used for the purposes of such fund. If at any time  
13 all indebtedness and obligations of such fund have been fully paid and  
14 canceled, the revenues authorized by this subsection to be deposited in  
15 such fund shall be disposed of as provided in subsection (a).

16 (e) To the extent that K.S.A. 72-1623, 72-8804 and 79-2958, and  
17 amendments thereto, conflict with this section, this section shall control.

18 New Sec. 39. (a) Any lawful transfer of moneys from the general  
19 fund of a school district to any other fund shall be an operating expense in  
20 the year the transfer is made. The board of education of a school district  
21 may transfer moneys from the general fund to any categorical fund of the  
22 school district in any school year.

23 (b) The board may transfer moneys from the general fund to the  
24 contingency reserve fund of the school district, subject to any limitations  
25 imposed upon the amount authorized to be maintained in the contingency  
26 reserve fund.

27 (c) The board may transfer moneys from the general fund to the:

- 28 (1) Capital outlay fund;
- 29 (2) special reserve fund;
- 30 (3) special liability expense fund; and
- 31 (4) textbook and student materials revolving fund.

32 (d) In each school year, the board may transfer to its general fund  
33 from any fund to which transfers from the general fund are authorized an  
34 amount not to exceed an amount equal to the amount transferred from the  
35 general fund to any such fund in the same school year.

36 New Sec. 40. Expenditures of a school district for the following  
37 purposes are not operating expenses:

38 (a) Payments to another school district in an adjustment of rights as  
39 provided in K.S.A. 72-6776, and amendments thereto, or upon transfer of  
40 territory as provided in K.S.A. 72-7105, 72-7106 or 72-7107, and  
41 amendments thereto, if paid from any fund other than the general fund;

42 (b) payments to another school district under K.S.A. 72-7105a, and  
43 amendments thereto;

- 1 (c) the maintenance of student activities that are reimbursed;  
2 (d) expenditures from any lawfully authorized fund of a school  
3 district other than its general fund;  
4 (e) the provision of educational services for students residing at the  
5 Flint Hills job corps center, students housed at a psychiatric residential  
6 treatment facility or students confined in a juvenile detention facility for  
7 which the school district is reimbursed by a grant of state moneys as  
8 provided in K.S.A. 72-8187, and amendments thereto; and  
9 (f) programs financed, in part or in whole, by federal funds that may  
10 be expended although not included in the budget of the school district,  
11 excluding funds received under the provisions of title I of public law 874,  
12 but not including in such exclusion amounts received for assistance in  
13 cases of major disaster and amounts received under the low-rent housing  
14 program, to the extent of the federal funds to be provided.

15 New Sec. 41. If in any school year a school district expends an  
16 amount for operating expenses that exceeds its general fund budget, the  
17 state board shall determine the excess and deduct the same from amounts  
18 of state foundation aid payable to the school district during the next  
19 succeeding school year.

20 New Sec. 42. (a) In order to accomplish the mission for Kansas  
21 education, the state board shall design and adopt a school district  
22 accreditation system based upon improvement in performance that reflects  
23 the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and  
24 amendments thereto, and is measurable. On or before January 15, 2018,  
25 and each January 15 thereafter, the state board shall prepare and submit a  
26 report on the school district accreditation system to the governor and the  
27 legislature.

28 (b) The state board shall establish curriculum standards that reflect  
29 high academic standards for the core academic areas of mathematics,  
30 science, reading, writing and social studies. The curriculum standards shall  
31 be reviewed at least every seven years. Nothing in this subsection shall be  
32 construed in any manner so as to impinge upon any school district's  
33 authority to determine its own curriculum.

34 (c) The state board shall provide for statewide assessments in the core  
35 academic areas of mathematics, science, reading, writing and social  
36 studies. The board shall ensure compatibility between the statewide  
37 assessments and the curriculum standards established pursuant to  
38 subsection (b). Such assessments shall be administered at three grade  
39 levels, as determined by the state board. The state board shall determine  
40 performance levels on the statewide assessments, the achievement of  
41 which represents high academic standards in the academic area at the  
42 grade level to which the assessment applies. The state board should specify  
43 high academic standards both for individual performance and school

1 performance on the assessments.

2 (d) Each school year, on such date as specified by the state board,  
3 each school district shall submit the Kansas education system accreditation  
4 report to the state board in such form and manner as prescribed by the state  
5 board.

6 (e) Whenever the state board determines that a school district has  
7 failed either to meet the accreditation requirements established by rules  
8 and regulations or standards adopted by the state board or provide  
9 curriculum based on state standards and courses required by state law, the  
10 state board shall so notify the school district. Such notice shall specify the  
11 accreditation requirements that the school district has failed to meet and  
12 the curriculum that it has failed to provide. Upon receipt of such notice,  
13 the board of education of such school district is encouraged to reallocate  
14 the resources of the school district to remedy all deficiencies identified by  
15 the state board.

16 (f) Each school in every school district shall establish a school site  
17 council composed of the principal and representatives of teachers and  
18 other school personnel, parents of students attending the school, the  
19 business community and other community groups. School site councils  
20 shall be responsible for providing advice and counsel in evaluating state,  
21 school district, and school site performance goals and objectives and in  
22 determining the methods that should be employed at the school site to  
23 meet these goals and objectives. Site councils may make recommendations  
24 and proposals to the school board regarding budgetary items and school  
25 district matters, including, but not limited to, identifying and implementing  
26 the best practices for developing efficient and effective administrative and  
27 management functions. Site councils also may help school boards analyze  
28 the unique environment of schools, enhance the efficiency and maximize  
29 limited resources, including outsourcing arrangements and cooperative  
30 opportunities as a means to address limited budgets.

31 New Sec. 43. (a) On or before January 15 of each year, the state  
32 department of education shall prepare and submit reports on school district  
33 funding for each school district to the governor and the legislature.

34 (b) Each report shall contain the information described in subsection  
35 (c) for the school district in terms of actual dollar amounts for the  
36 immediately preceding school year, actual dollar amounts for the current  
37 school year and budgeted dollar amounts for the immediately succeeding  
38 school year.

39 (c) Each report shall contain the following information for the school  
40 district:

41 (1) Full-time equivalent enrollment;

42 (2) total general and supplemental general funds, including a showing  
43 of funding provided by federal sources, state sources and local sources,

- 1 and total funds per student;
- 2 (3) total capital outlay funds, including a showing of such funding  
3 provided by federal sources, state sources and local sources, and capital  
4 outlay funds per student;
- 5 (4) total bond and interest funds, including a showing of such funding  
6 provided by federal sources, state sources and local sources, and bond and  
7 interest funds per student;
- 8 (5) total of all other funds not described in paragraphs (2), (3) and (4),  
9 excluding fund transfers, including a showing of such funding provided by  
10 federal sources, state sources and local sources, and total funds per  
11 student;
- 12 (6) general fund moneys attributable to the following:
- 13 (A) BASE aid;
- 14 (B) high enrollment weighting;
- 15 (C) low enrollment weighting;
- 16 (D) school facilities weighting;
- 17 (E) transportation weighting;
- 18 (F) at-risk student weighting;
- 19 (G) preschool-aged at-risk student weighting;
- 20 (H) high-density at-risk student weighting;
- 21 (I) career technical education weighting;
- 22 (J) special education and related services weighting;
- 23 (K) bilingual weighting;
- 24 (L) ancillary school facilities weighting;
- 25 (M) cost-of-living weighting;
- 26 (N) declining enrollment weighting; and
- 27 (O) virtual school state aid; and
- 28 (7) total expenditures from each of the following funds:
- 29 (A) At-risk education fund;
- 30 (B) preschool-aged at-risk education fund;
- 31 (C) bilingual education fund;
- 32 (D) career and postsecondary education fund;
- 33 (E) special education fund;
- 34 (F) virtual school fund; and
- 35 (G) special retirement contributions fund.
- 36 New Sec. 44. (a) (1) On or before July 1, 2020, the legislature shall  
37 review the school year 2019-2020 BASE aid amount and shall evaluate  
38 whether such BASE aid amount is reasonably calculated to have all  
39 students meet or exceed the educational goal set forth in K.S.A. 2016  
40 Supp. 72-1127(c), and amendments thereto.
- 41 (2) Such evaluation shall be based on a successful school model that  
42 identifies successful school districts based on the percentage of at-risk  
43 students in such districts in relation to the following outcomes:

1 (A) The percentage of students at grade level on state math and  
2 English language arts assessments;

3 (B) the percentage of students that are college and career ready on  
4 state math and English language arts assessments;

5 (C) the average composite ACT score; and

6 (D) the four-year graduation rate.

7 (3) Such evaluation shall identify school districts that exceeded  
8 expected outcomes and shall also identify school districts that have an  
9 average scaled difference on the outcome measures greater than or equal to  
10 one standard deviation from the average scaled difference of all districts.  
11 Those school districts that are identified as successful school districts in  
12 relation to other similarly situated districts may be used to evaluate  
13 whether the BASE aid amount is reasonably calculated to ensure that  
14 students will continue to meet or exceed the educational goal set forth in  
15 K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

16 (b) The senate standing committee on education shall review the low  
17 enrollment weighting and the high enrollment weighting, as such terms are  
18 defined in section 4, and amendments thereto, and alternatives to such  
19 weightings, including, but not limited to, a sparsity weighting. Such  
20 review shall occur during the 2018 regular legislative session to ensure  
21 that such weightings are reasonably calculated to have students meet or  
22 exceed the goal set forth in K.S.A. 2016 Supp. 72-1127(c), and  
23 amendments thereto. The provisions of this subsection shall expire on July  
24 1, 2018.

25 New Sec. 45. The legislative post audit committee shall direct the  
26 legislative division of post audit to conduct the following performance  
27 audits in the fiscal year specified:

28 (a) A performance audit of transportation services funding. The audit  
29 should include a comparison of the amount of transportation services  
30 funding school districts receive to the cost of providing transportation  
31 services. This performance audit shall be conducted during fiscal year  
32 2018, and the final audit report shall be submitted to the legislature on or  
33 before January 15, 2018.

34 (b) A performance audit of at-risk education funding. The audit  
35 should evaluate the method of counting students for at-risk education  
36 funding, the level of the at-risk student weighting and high-density at-risk  
37 student weighting under the act and how school districts are expending  
38 moneys provided for at-risk education. This performance audit shall be  
39 conducted during fiscal year 2020, and the final audit report shall be  
40 submitted to the legislature on or before January 15, 2020.

41 (c) A performance audit of bilingual education funding. The audit  
42 should evaluate the method of counting students for bilingual education  
43 funding, the level of the bilingual weighting under the act and how school

1 districts are expending moneys provided for bilingual education. This  
2 performance audit shall be conducted during fiscal year 2023, and the final  
3 audit report shall be submitted to the legislature on or before January 15,  
4 2023.

5 (d) A study of statewide virtual school programs administered in  
6 other states. The study shall include, but not be limited to, the following:

7 (1) The aggregate cost incurred by each state administering a virtual  
8 school program, and the cost incurred by individual school districts or  
9 schools within each state;

10 (2) the resources necessary for the implementation of each virtual  
11 school program, including, but not limited to, personnel, equipment,  
12 software and facility usage;

13 (3) the scope of each virtual school program; and

14 (4) the effectiveness of each virtual school program with respect to  
15 student performance and outcomes.

16 The audit shall be conducted during fiscal year 2024, and the final audit  
17 report shall be submitted to the legislature on or before January 15, 2024.

18 (e) (1) A performance audit to provide a reasonable estimate of the  
19 cost of providing educational opportunities for every public school student  
20 in Kansas to achieve the performance outcome standards adopted by the  
21 state board of education. This performance audit shall be conducted three  
22 times as follows:

23 (A) During fiscal year 2019, and the final report submitted to the  
24 legislature on or before January 15, 2019;

25 (B) during fiscal year 2022, and the final report submitted to the  
26 legislature on or before January 15, 2022; and

27 (C) during fiscal year 2025, and the final report submitted to the  
28 legislature on or before January 15, 2025.

29 (2) Each performance audit required under this subsection shall:

30 (A) Include reasonable estimates of the costs of providing specialized  
31 education services as required by law, including, but not limited to, special  
32 education and related services, bilingual education and at-risk programs;  
33 and

34 (B) account for other factors which may contribute to variations in  
35 costs incurred by school districts, including, but not limited to, total  
36 district enrollment and geographic location within the state.

37 (3) In conducting each performance audit required under this  
38 subsection:

39 (A) Any examination of historical data and expenditures shall correct  
40 any recognized inadequacy of such data or expenditure through a  
41 statistically valid method of extrapolation; and

42 (B) subject to the limitations of the division of legislative post audit  
43 budget and appropriations therefor, the legislative post auditor may enter

1 into contracts with consultants as the post auditor deems necessary.

2 (f) A performance audit to identify best practices in successful  
3 schools. The audit should include a comparison of the educational methods  
4 and other practices of demographically similar school districts that achieve  
5 significantly different student outcomes based on performance outcome  
6 standards adopted by the state board of education. This performance audit  
7 shall be conducted during fiscal year 2021, and the final audit report shall  
8 be submitted to the legislature on or before January 15, 2021. The audit  
9 shall be conducted a second time during fiscal year 2026, and the final  
10 audit report shall be submitted to the legislature on or before January 15,  
11 2026.

12 New Sec. 46. The state board may adopt rules and regulations for the  
13 administration of this act, including the classification of expenditures of  
14 school districts to ensure uniform reporting of operating expenses.

15 New Sec. 47. The provisions of the Kansas school equity and  
16 enhancement act, section 3 et seq., and amendments thereto, shall not be  
17 severable. If any provision of the Kansas school equity and enhancement  
18 act, section 3 et seq., and amendments thereto, is held to be invalid or  
19 unconstitutional by court order, all provisions of the Kansas school equity  
20 and enhancement act, section 3 et seq., and amendments thereto, shall be  
21 null and void.

22 New Sec. 48. (a) The state department of education shall conduct a  
23 study of the cost of career technical education programs offered by school  
24 districts, including, but not limited to, the following:

25 (1) The career technical education programs offered by school  
26 districts;

27 (2) the costs associated with offering such programs, including  
28 salaries and wages, materials, equipment and facilities; and

29 (3) the coordination between school districts, community colleges  
30 and technical colleges in offering such programs.

31 (b) On or before January 15, 2018, the state department of education  
32 shall prepare a report on its findings and shall make recommendations on  
33 amendments to the Kansas school equity and enhancement act, section 3 et  
34 seq., and amendments thereto, for the financing of career technical  
35 education programs using a tiered technical education model or other  
36 funding model. The report shall be submitted to the governor and the  
37 legislature.

38 (c) The provisions of this section shall expire on July 1, 2018.

39 New Sec. 49. (a) There is hereby established in the state treasury the  
40 school district capital outlay state aid fund. Such fund shall consist of all  
41 moneys transferred thereto under the provisions of subsection (d).

42 (b) Each school district that levies a tax pursuant to K.S.A. 72-8801  
43 et seq., and amendments thereto, shall receive payment from the school



1 district capital outlay state aid fund in an amount determined by the state  
2 board of education as provided in this section.

3 (c) The state board shall:

4 (1) Determine the amount of the assessed valuation per student of  
5 each school district in the state for the preceding school year and round  
6 such amount to the nearest \$1,000. The rounded amount is the assessed  
7 valuation per student of a school district for the purposes of this  
8 subsection;

9 (2) determine the median assessed valuation per student of all school  
10 districts;

11 (3) prepare a schedule of dollar amounts using the amount of the  
12 median assessed valuation per student of all school districts as the point of  
13 beginning. The schedule of dollar amounts shall range upward in equal  
14 \$1,000 intervals from the point of beginning to and including an amount  
15 that is equal to the amount of the assessed valuation per student of the  
16 school district with the highest assessed valuation per student of all school  
17 districts and shall range downward in equal \$1,000 intervals from the point  
18 of beginning to and including an amount that is equal to the amount of the  
19 assessed valuation per student of the school district with the lowest  
20 assessed valuation per student of all school districts;

21 (4) determine a state aid percentage factor for each school district by  
22 assigning a state aid computation percentage to the amount of the median  
23 assessed valuation per student shown on the schedule, decreasing the state  
24 aid computation percentage assigned to the amount of the median assessed  
25 valuation per student by one percentage point for each \$1,000 interval  
26 above the amount of the median assessed valuation per student, and  
27 increasing the state aid computation percentage assigned to the amount of  
28 the median assessed valuation per student by one percentage point for each  
29 \$1,000 interval below the amount of the median assessed valuation per  
30 student. The state aid percentage factor of a school district is the  
31 percentage assigned to the schedule amount that is equal to the amount of  
32 the assessed valuation per student of the school district, except that the  
33 state aid percentage factor of a school district shall not exceed 100%. The  
34 state aid computation percentage is 25%;

35 (5) determine the amount levied by each school district pursuant to  
36 K.S.A. 72-8801 et seq., and amendments thereto; and

37 (6) multiply the amount computed under subsection (c)(5), but not to  
38 exceed 10 mills, by the applicable state aid percentage factor. The resulting  
39 product is the amount of payment the school district is to receive from the  
40 school district capital outlay state aid fund in the school year.

41 (d) The state board shall certify to the director of accounts and reports  
42 the amount of school district capital outlay state aid determined under the  
43 provisions of subsection (c), and an amount equal thereto shall be

1 transferred by the director from the state general fund to the school district  
2 capital outlay state aid fund for distribution to school districts. All transfers  
3 made in accordance with the provisions of this subsection shall be  
4 considered to be demand transfers from the state general fund.

5 (e) Payments from the school district capital outlay state aid fund  
6 shall be distributed to school districts at times determined by the state  
7 board of education. The state board of education shall certify to the  
8 director of accounts and reports the amount due each school district, and  
9 the director of accounts and reports shall draw a warrant on the state  
10 treasury payable to the treasurer of the school district. Upon receipt of the  
11 warrant, the treasurer of the school district shall credit the amount thereof  
12 to the capital outlay fund of the school district to be used for the purposes  
13 of such fund.

14 New Sec. 50. No ad valorem tax exemption for real or personal  
15 property granted after the effective date of this act by the board of tax  
16 appeals pursuant to the provisions of either: (a) Section 13 of article 11 of  
17 the constitution of the state of Kansas; or (b) K.S.A. 12-1740 et seq. and  
18 79-201a *Second* or *Twenty-Fourth*, and amendments thereto, for any  
19 property purchased with the proceeds of revenue bonds shall be deemed to  
20 exempt any such property from the ad valorem property tax levied by a  
21 school district pursuant to the provisions of section 14 or K.S.A. 72-8801,  
22 and amendments thereto. The provisions of this section shall not apply to  
23 exemptions granted by the board of tax appeals when the associated  
24 resolution of intent to issue revenue bonds and grant property tax  
25 abatement was approved by any governing body of any city or the board of  
26 commissioners of any county or the public hearing required by K.S.A. 79-  
27 251, and amendments thereto, was conducted prior to May 1, 2017.

28 New Sec. 51. (a) (1) There is hereby imposed a monthly school  
29 funding fee in the amount of \$2.25 for each residential utility retail  
30 customer and \$10 for each industrial utility retail customer. Each billed  
31 retail customer shall be liable for the school funding fee until such fees  
32 have been paid to the utility. It shall be the duty of a utility to remit such  
33 fees to the state treasurer pursuant to K.S.A. 75-4215, and amendments  
34 thereto. Upon receipt of each such remittance, the state treasurer shall  
35 deposit the entire amount in the state treasury to the credit of the state  
36 school district finance fund.

37 (2) The duty to collect the fees imposed pursuant to this subsection  
38 shall commence on September 1, 2017. Such fees shall be added to and  
39 shall be stated separately in billings for the customer and labeled as  
40 "school funding fee." The school funding fees imposed by this subsection  
41 shall be collected insofar as practicable at the same time as, and along  
42 with, the charges for utility service in accordance with regular billing  
43 practices of the utility. A utility may delay initial collection up to six

1 months in establishing the necessary billing system as long as all fees are  
2 backdated and collected.

3 (3) The utility shall have no obligation to take any legal action to  
4 enforce the collection of the school funding fees imposed by this  
5 subsection. The utility shall provide annually to the state treasurer a list of  
6 the amount of uncollected school funding fees along with the names and  
7 addresses of those customers that carry a balance that can be determined  
8 by the utility to be nonpayment of such fees.

9 (4) (A) The school funding fees and the amounts required to be  
10 collected therefor are due monthly. If the amount of such fees collected in  
11 one month by a utility is less than \$10,000, then all such fees collected  
12 shall be remitted to the state treasurer on a quarterly basis. If the amount of  
13 such fees collected in one month by a utility is greater than \$10,000, then  
14 all such fees collected shall be remitted to the state treasurer not more than  
15 15 days after the close of the calendar month.

16 (B) A return for the preceding month or months shall accompany the  
17 fees remitted and be filed with the state treasurer. Such return shall be in a  
18 form and shall contain such information as required by the treasurer. The  
19 utility shall maintain records of the amount of any such fees collected for a  
20 period of three years from the time the fees are collected.

21 (b) (1) On and after September 1, 2017, there is hereby imposed an  
22 annual school funding fee in the amount of \$120 for each owner of a water  
23 right or permit to appropriate water for beneficial use who uses water for  
24 irrigation purposes. The chief engineer of the division of water resources  
25 of the Kansas department of agriculture shall charge and collect such fee  
26 from each owner of a water right or permit to appropriate water. It shall be  
27 the duty of the chief engineer to remit such fees to the state treasurer  
28 pursuant to K.S.A. 75-4215, and amendments thereto. Upon receipt of  
29 each such remittance, the state treasurer shall deposit the entire amount in  
30 the state treasury to the credit of the state school district finance fund.

31 (2) The school funding fee required by this subsection shall be paid  
32 annually to the chief engineer by each owner of a water right or permit to  
33 appropriate water for beneficial use who uses water for irrigation purposes.  
34 Payment of such fee shall be due on or before March 1 of the following  
35 calendar year. The first payment shall be due on or before March 1, 2018,  
36 but shall be prorated for calendar year 2017 and shall be \$40.

37 (3) The chief engineer shall annually provide a list of the uncollected  
38 school funding fees to the state treasurer, along with the names and  
39 addresses of those customers who carry a balance that can be determined  
40 by the chief engineer to be nonpayment of such fees.

41 (4) If a person owns more than one water right or permit to  
42 appropriate water for beneficial use, such person shall only be assessed  
43 one school funding fee.

1 (c) The school funding fee imposed pursuant to this section shall not  
2 be deemed to be a rate increase for purposes of K.S.A. 66-117, and  
3 amendments thereto.

4 (d) The school funding fee imposed pursuant to this section shall not  
5 be subject to the provisions of K.S.A. 79-3606(a), and amendments  
6 thereto.

7 (e) The state treasurer is hereby authorized to adopt rules and  
8 regulations to effectuate the collection and remittance of the school  
9 funding fees, establish any forms necessary for the remittance of such fees  
10 and assess any penalties for the failure to remit such fees.

11 (f) As used in this section:

12 (1) "Person" means any individual, firm, partnership, co-partnership,  
13 joint venture, association, cooperative organization, corporation, municipal  
14 or private, and whether organized for profit or not, state, county, political  
15 subdivision, state department, commission, board, bureau or fraternal  
16 organization, nonprofit organization, estate, trust, business or common law  
17 trust, receiver, assignee for the benefit of creditors, trustee or trustee in  
18 bankruptcy or any other legal entity.

19 (2) "Customer" means the person identified, for the purposes of  
20 billing for the provision of retail service, as receiving utility services from  
21 a utility. "Customer" does not include the government of the United States  
22 or its agencies or instrumentalities.

23 (3) "Utility" means any person that furnishes electricity, water or  
24 natural gas at retail to a person in this state.

25 Sec. 52. K.S.A. 2016 Supp. 10-1116a is hereby amended to read as  
26 follows: 10-1116a. The limitations on expenditures imposed under the  
27 cash-basis law shall not apply to:

28 (a) Expenditures in excess of current revenues made for municipally  
29 owned and operated utilities out of the fund of such utilities caused by, or  
30 resulting from the meeting of, extraordinary emergencies including  
31 drought emergencies. In such cases expenditures in excess of current  
32 revenues may be made by declaring an extraordinary emergency by  
33 resolution adopted by the governing body and such resolution shall be  
34 published at least once in a newspaper of general circulation in such city.  
35 Thereupon, such governing body may issue interest bearing no-fund  
36 warrants on such utility fund in an amount, including outstanding  
37 previously issued no-fund warrants, not to exceed 25% of the revenues  
38 from sales of service of such utility for the preceding year. Such warrants  
39 shall be redeemed within three years from date of issuance and shall bear  
40 interest at a rate of not to exceed the maximum rate of interest prescribed  
41 by K.S.A. 10-1009, and amendments thereto. Upon the declaration of a  
42 drought emergency, the governing body may issue such warrants for water  
43 system improvement purposes in an amount not to exceed 50% of the

1 revenue received from the sale of water for the preceding year. Such  
 2 warrants shall be redeemed within five years from the date of issuance and  
 3 shall bear interest at a rate not to exceed the maximum rate of interest  
 4 prescribed by K.S.A. 10-1009, and amendments thereto.

5 (b) Expenditures in any month by school districts which are in excess  
 6 of current revenues if the deficit or shortage in revenues is caused by, or a  
 7 result of, the payment of state aid after the date prescribed for the payment  
 8 of state aid during such month under ~~K.S.A. 2016 Supp. 72-6466~~ *section*  
 9 *7*, and amendments thereto.

10 Sec. 53. K.S.A. 2016 Supp. 12-1677 is hereby amended to read as  
 11 follows: 12-1677. (a) Except as otherwise required by state or federal law,  
 12 all moneys earned and collected from investments by counties, area  
 13 vocational-technical schools and quasi-municipal corporations authorized  
 14 in this act shall be credited to the general fund of such county, area  
 15 vocational-technical school or quasi-municipal corporation by the treasurer  
 16 thereof, and all moneys earned and collected from investments by school  
 17 districts authorized in this act shall be credited ~~to the general fund of the~~  
 18 ~~school district~~ *in accordance with the provisions of section 38, and*  
 19 *amendments thereto.*

20 (b) The treasurer of each county, school district, area vocational-  
 21 technical school or quasi-municipal corporation shall maintain a complete  
 22 record of all investments authorized in this act and shall make a quarterly  
 23 written report of such record to the governing body of such county, school  
 24 district, area vocational-technical school or quasi-municipal corporation.

25 Sec. 54. K.S.A. 2016 Supp. 12-1770a is hereby amended to read as  
 26 follows: 12-1770a. As used in this act, the following words and phrases  
 27 shall have the following meanings unless a different meaning clearly  
 28 appears from the content:

29 (a) "Auto race track facility" means: (1) An auto race track facility  
 30 and facilities directly related and necessary to the operation of an auto race  
 31 track facility, including, but not limited to, grandstands, suites and viewing  
 32 areas, concessions, souvenir facilities, catering facilities, visitor and retail  
 33 centers, signage and temporary hospitality facilities, but excluding (2)  
 34 hotels, motels, restaurants and retail facilities, not directly related to or  
 35 necessary to the operation of such facility.

36 (b) "Base year assessed valuation" means the assessed valuation of all  
 37 real property within the boundaries of a redevelopment district on the date  
 38 the redevelopment district was established.

39 (c) "Blighted area" means an area which:

40 (1) Because of the presence of a majority of the following factors,  
 41 substantially impairs or arrests the development and growth of the  
 42 municipality or constitutes an economic or social liability or is a menace to  
 43 the public health, safety, morals or welfare in its present condition and use:

- 1 (A) A substantial number of deteriorated or deteriorating structures;
- 2 (B) predominance of defective or inadequate street layout;
- 3 (C) unsanitary or unsafe conditions;
- 4 (D) deterioration of site improvements;
- 5 (E) tax or special assessment delinquency exceeding the fair market
- 6 value of the real property;
- 7 (F) defective or unusual conditions of title including, but not limited
- 8 to, cloudy or defective titles, multiple or unknown ownership interests to
- 9 the property;
- 10 (G) improper subdivision or obsolete platting or land uses;
- 11 (H) the existence of conditions which endanger life or property by
- 12 fire or other causes; or
- 13 (I) conditions which create economic obsolescence;
- 14 (2) has been identified by any state or federal environmental agency
- 15 as being environmentally contaminated to an extent that requires a
- 16 remedial investigation; feasibility study and remediation or other similar
- 17 state or federal action;
- 18 (3) a majority of the property is a 100-year floodplain area; or
- 19 (4) previously was found by resolution of the governing body to be a
- 20 slum or a blighted area under K.S.A. 17-4742 et seq., and amendments
- 21 thereto.
- 22 (d) "Conservation area" means any improved area comprising 15% or
- 23 less of the land area within the corporate limits of a city in which 50% or
- 24 more of the structures in the area have an age of 35 years or more, which
- 25 area is not yet blighted, but may become a blighted area due to the
- 26 existence of a combination of two or more of the following factors:
- 27 (1) Dilapidation, obsolescence or deterioration of the structures;
- 28 (2) illegal use of individual structures;
- 29 (3) the presence of structures below minimum code standards;
- 30 (4) building abandonment;
- 31 (5) excessive vacancies;
- 32 (6) overcrowding of structures and community facilities; or
- 33 (7) inadequate utilities and infrastructure.
- 34 (e) "De minimus" means an amount less than 15% of the land area
- 35 within a redevelopment district.
- 36 (f) "Developer" means any person, firm, corporation, partnership or
- 37 limited liability company, other than a city and other than an agency,
- 38 political subdivision or instrumentality of the state or a county when
- 39 relating to a bioscience development district.
- 40 (g) "Eligible area" means a blighted area, conservation area,
- 41 enterprise zone, intermodal transportation area, major tourism area or a
- 42 major commercial entertainment and tourism area, bioscience
- 43 development area or a building or buildings which are 65 years of age or

1 older and any contiguous vacant or condemned lots.

2 (h) "Enterprise zone" means an area within a city that was designated  
3 as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107  
4 through 12-17,113, and amendments thereto, prior to its repeal and the  
5 conservation, development or redevelopment of the area is necessary to  
6 promote the general and economic welfare of such city.

7 (i) "Environmental increment" means the increment determined  
8 pursuant to K.S.A. 12-1771a(b), and amendments thereto.

9 (j) "Environmentally contaminated area" means an area of land  
10 having contaminated groundwater or soil which is deemed  
11 environmentally contaminated by the department of health and  
12 environment or the United States environmental protection agency.

13 (k) (1) "Feasibility study" means:

14 (A) A study which shows whether a redevelopment project's or  
15 bioscience development project's benefits and tax increment revenue and  
16 other available revenues under K.S.A. 12-1774(a)(1), and amendments  
17 thereto, are expected to exceed or be sufficient to pay for the  
18 redevelopment or bioscience development project costs; and

19 (B) the effect, if any, the redevelopment project costs or bioscience  
20 development project will have on any outstanding special obligation bonds  
21 payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and  
22 amendments thereto.

23 (2) For a redevelopment project or bioscience project financed by  
24 bonds payable from revenues described in K.S.A. 12-1774(a)(1)(D), and  
25 amendments thereto, the feasibility study must also include:

26 (A) A statement of how the taxes obtained from the project will  
27 contribute significantly to the economic development of the jurisdiction in  
28 which the project is located;

29 (B) a statement concerning whether a portion of the local sales and  
30 use taxes are pledged to other uses and are unavailable as revenue for the  
31 redevelopment project. If a portion of local sales and use taxes is so  
32 committed, the applicant shall describe the following:

33 (i) The percentage of sales and use taxes collected that are so  
34 committed; and

35 (ii) the date or dates on which the local sales and use taxes pledged to  
36 other uses can be pledged for repayment of special obligation bonds;

37 (C) an anticipated principal and interest payment schedule on the  
38 bonds;

39 (D) following approval of the redevelopment plan, the feasibility  
40 study shall be supplemented to include a copy of the minutes of the  
41 governing body meeting or meetings of any city whose bonding authority  
42 will be utilized in the project, evidencing that a redevelopment plan has  
43 been created, discussed, and adopted by the city in a regularly scheduled

1 open public meeting; and

2 (E) the failure to include all information enumerated in this  
3 subsection in the feasibility study for a redevelopment or bioscience  
4 project shall not affect the validity of bonds issued pursuant to this act.

5 (l) "Major tourism area" means an area for which the secretary has  
6 made a finding the capital improvements costing not less than  
7 \$100,000,000 will be built in the state to construct an auto race track  
8 facility.

9 (m) "Real property taxes" means all taxes levied on an ad valorem  
10 basis upon land and improvements thereon, except that ~~when relating to a~~  
11 ~~bioscience development district, as defined in this section,~~ "real property  
12 taxes" does not include: (1) property taxes levied ~~for schools, by school~~  
13 ~~districts pursuant to K.S.A. 2016 Supp. 72-6470 section 14,~~ and  
14 amendments thereto, *when:*

15 (A) *Relating to a bioscience development district; and*

16 (B) *relating to a redevelopment district established after June 30,*  
17 *1997; and*

18 (2) *property taxes levied by school districts pursuant to K.S.A. 72-*  
19 *8801, and amendments thereto, when relating to a bioscience development*  
20 *district or a redevelopment district established on or after July 1, 2017.*

21 (n) "Redevelopment project area" means an area designated by a city  
22 within a redevelopment district or, if the redevelopment district is  
23 established for an intermodal transportation area, an area designated by a  
24 city within or outside of the redevelopment district.

25 (o) "Redevelopment project costs" means: (1) Those costs necessary  
26 to implement a redevelopment project plan or a bioscience development  
27 project plan, including costs incurred for:

28 (A) Acquisition of property within the redevelopment project area;

29 (B) payment of relocation assistance pursuant to a relocation  
30 assistance plan as provided in K.S.A. 12-1777, and amendments thereto;

31 (C) site preparation including utility relocations;

32 (D) sanitary and storm sewers and lift stations;

33 (E) drainage conduits, channels, levees and river walk canal facilities;

34 (F) street grading, paving, graveling, macadamizing, curbing,  
35 guttering and surfacing;

36 (G) street light fixtures, connection and facilities;

37 (H) underground gas, water, heating and electrical services and  
38 connections located within the public right-of-way;

39 (I) sidewalks and pedestrian underpasses or overpasses;

40 (J) drives and driveway approaches located within the public right-of-  
41 way;

42 (K) water mains and extensions;

43 (L) plazas and arcades;



- 1 (M) major multi-sport athletic complex;
- 2 (N) museum facility;
- 3 (O) parking facilities including multilevel parking facilities;
- 4 (P) landscaping and plantings, fountains, shelters, benches,
- 5 sculptures, lighting, decorations and similar amenities;
- 6 (Q) related expenses to redevelop and finance the redevelopment
- 7 project;
- 8 (R) for purposes of an incubator project, such costs shall also include
- 9 wet lab equipment including hoods, lab tables, heavy water equipment and
- 10 all such other equipment found to be necessary or appropriate for a
- 11 commercial incubator wet lab facility by the city in its resolution
- 12 establishing such redevelopment district or a bioscience development
- 13 district;
- 14 (S) costs for the acquisition of land for and the construction and
- 15 installation of publicly-owned infrastructure improvements which serve an
- 16 intermodal transportation area and are located outside of a redevelopment
- 17 district; and
- 18 (T) costs for infrastructure located outside the redevelopment district
- 19 but contiguous to any portion of the redevelopment district and such
- 20 infrastructure is necessary for the implementation of the redevelopment
- 21 plan as determined by the city.
- 22 (2) Redevelopment project costs shall not include: (A) Costs incurred
- 23 in connection with the construction of buildings or other structures to be
- 24 owned by or leased to a developer, however, the "redevelopment project
- 25 costs" shall include costs incurred in connection with the construction of
- 26 buildings or other structures to be owned or leased to a developer which
- 27 includes an auto race track facility or a multilevel parking facility.
- 28 (B) In addition, for a redevelopment project financed with special
- 29 obligation bonds payable from the revenues described in K.S.A. 12-
- 30 1774(a)(1)(D), and amendments thereto, redevelopment project costs shall
- 31 not include:
- 32 (i) Fees and commissions paid to developers, real estate agents,
- 33 financial advisors or any other consultants who represent the developers or
- 34 any other businesses considering locating in or located in a redevelopment
- 35 district;
- 36 (ii) salaries for local government employees;
- 37 (iii) moving expenses for employees of the businesses locating within
- 38 the redevelopment district;
- 39 (iv) property taxes for businesses that locate in the redevelopment
- 40 district;
- 41 (v) lobbying costs;
- 42 (vi) a bond origination fee charged by the city pursuant to K.S.A. 12-
- 43 1742, and amendments thereto;

1 (vii) any personal property, as defined in K.S.A. 79-102, and  
2 amendments thereto; and

3 (viii) travel, entertainment and hospitality.

4 (p) "Redevelopment district" means the specific area declared to be  
5 an eligible area in which the city may develop one or more redevelopment  
6 projects.

7 (q) "Redevelopment district plan" or "district plan" means the  
8 preliminary plan that identifies all of the proposed redevelopment project  
9 areas and identifies in a general manner all of the buildings, facilities and  
10 improvements in each that are proposed to be constructed or improved in  
11 each redevelopment project area or, if the redevelopment district is  
12 established for an intermodal transportation area, in or outside of the  
13 redevelopment district.

14 (r) "Redevelopment project" means the approved project to  
15 implement a project plan for the development of the established  
16 redevelopment district.

17 (s) "Redevelopment project plan" means the plan adopted by a  
18 municipality for the development of a redevelopment project or projects  
19 which conforms with K.S.A. 12-1772, and amendments thereto, in a  
20 redevelopment district.

21 (t) "Substantial change" means, as applicable, a change wherein the  
22 proposed plan or plans differ substantially from the intended purpose for  
23 which the district plan or project plan was approved.

24 (u) "Tax increment" means that amount of real property taxes  
25 collected from real property located within the redevelopment district that  
26 is in excess of the amount of real property taxes which is collected from  
27 the base year assessed valuation.

28 (v) "Taxing subdivision" means the county, city, unified school  
29 district and any other taxing subdivision levying real property taxes, the  
30 territory or jurisdiction of which includes any currently existing or  
31 subsequently created redevelopment district including a bioscience  
32 development district.

33 (w) "River walk canal facilities" means a canal and related water  
34 features which flows through a redevelopment district and facilities related  
35 or contiguous thereto, including, but not limited to pedestrian walkways  
36 and promenades, landscaping and parking facilities.

37 (x) "Major commercial entertainment and tourism area" may include,  
38 but not be limited to, a major multi-sport athletic complex.

39 (y) "Major multi-sport athletic complex" means an athletic complex  
40 that is utilized for the training of athletes, the practice of athletic teams, the  
41 playing of athletic games or the hosting of events. Such project may  
42 include playing fields, parking lots and other developments including  
43 grandstands, suites and viewing areas, concessions, souvenir facilities,

1 catering facilities, visitor centers, signage and temporary hospitality  
2 facilities, but excluding hotels, motels, restaurants and retail facilities, not  
3 directly related to or necessary to the operation of such facility.

4 (z) "Bioscience" means the use of compositions, methods and  
5 organisms in cellular and molecular research, development and  
6 manufacturing processes for such diverse areas as pharmaceuticals,  
7 medical therapeutics, medical diagnostics, medical devices, medical  
8 instruments, biochemistry, microbiology, veterinary medicine, plant  
9 biology, agriculture, industrial environmental and homeland security  
10 applications of bioscience and future developments in the biosciences.  
11 Bioscience includes biotechnology and life sciences.

12 (aa) "Bioscience development area" means an area that:

13 (1) Is or shall be owned, operated, or leased by, or otherwise under  
14 the control of the Kansas bioscience authority;

15 (2) is or shall be used and maintained by a bioscience company; or

16 (3) includes a bioscience facility.

17 (bb) "Bioscience development district" means the specific area,  
18 created under K.S.A. 12-1771, and amendments thereto, where one or  
19 more bioscience development projects may be undertaken.

20 (cc) "Bioscience development project" means an approved project to  
21 implement a project plan in a bioscience development district.

22 (dd) "Bioscience development project plan" means the plan adopted  
23 by the authority for a bioscience development project pursuant to K.S.A.  
24 12-1772, and amendments thereto, in a bioscience development district.

25 (ee) "Bioscience facility" means real property and all improvements  
26 thereof used to conduct bioscience research, including, without limitation,  
27 laboratory space, incubator space, office space and any and all facilities  
28 directly related and necessary to the operation of a bioscience facility.

29 (ff) "Bioscience project area" means an area designated by the  
30 authority within a bioscience development district.

31 (gg) "Biotechnology" means those fields focusing on technological  
32 developments in such areas as molecular biology, genetic engineering,  
33 genomics, proteomics, physiomics, nanotechnology, biodefense,  
34 biocomputing, bioinformatics and future developments associated with  
35 biotechnology.

36 (hh) "Board" means the board of directors of the Kansas bioscience  
37 authority.

38 (ii) "Life sciences" means the areas of medical sciences,  
39 pharmaceutical sciences, biological sciences, zoology, botany, horticulture,  
40 ecology, toxicology, organic chemistry, physical chemistry, physiology and  
41 any future advances associated with life sciences.

42 (jj) "Revenue increase" means that amount of real property taxes  
43 collected from real property located within the bioscience development

1 district that is in excess of the amount of real property taxes which is  
2 collected from the base year assessed valuation.

3 (kk) "Taxpayer" means a person, corporation, limited liability  
4 company, S corporation, partnership, registered limited liability  
5 partnership, foundation, association, nonprofit entity, sole proprietorship,  
6 business trust, group or other entity that is subject to the Kansas income  
7 tax act, K.S.A. 79-3201 et seq., and amendments thereto.

8 (ll) "Floodplain increment" means the increment determined pursuant  
9 to K.S.A. 2016 Supp. 12-1771e(b), and amendments thereto.

10 (mm) "100-year floodplain area" means an area of land existing in a  
11 100-year floodplain as determined by either an engineering study of a  
12 Kansas certified engineer or by the United States federal emergency  
13 management agency.

14 (nn) "Major motorsports complex" means a complex in Shawnee  
15 county that is utilized for the hosting of competitions involving motor  
16 vehicles, including, but not limited to, automobiles, motorcycles or other  
17 self-propelled vehicles other than a motorized bicycle or motorized  
18 wheelchair. Such project may include racetracks, all facilities directly  
19 related and necessary to the operation of a motorsports complex,  
20 including, but not limited to, parking lots, grandstands, suites and viewing  
21 areas, concessions, souvenir facilities, catering facilities, visitor and retail  
22 centers, signage and temporary hospitality facilities, but excluding hotels,  
23 motels, restaurants and retail facilities not directly related to or necessary  
24 to the operation of such facility.

25 (oo) "Intermodal transportation area" means an area of not less than  
26 800 acres to be developed primarily to handle the transfer, storage and  
27 distribution of freight through railway and trucking operations.

28 (pp) "Museum facility" means a separate newly-constructed museum  
29 building and facilities directly related and necessary to the operation  
30 thereof, including gift shops and restaurant facilities, but excluding hotels,  
31 motels, restaurants and retail facilities not directly related to or necessary  
32 to the operation of such facility. The museum facility shall be owned by  
33 the state, a city, county, other political subdivision of the state or a non-  
34 profit corporation, shall be managed by the state, a city, county, other  
35 political subdivision of the state or a non-profit corporation and may not  
36 be leased to any developer and shall not be located within any retail or  
37 commercial building.

38 Sec. 55. K.S.A. 2016 Supp. 12-1775a is hereby amended to read as  
39 follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of  
40 each city which, pursuant to K.S.A. 12-1771, and amendments thereto, has  
41 established a redevelopment district prior to July 1, 1996, shall certify to  
42 the director of accounts and reports the amount equal to the amount of  
43 revenue realized from ad valorem taxes imposed pursuant to ~~K.S.A. 2016~~

1 ~~Supp.—72-6470~~ *section 14*, and amendments thereto, within such  
 2 redevelopment district. Prior to February 1, 1997, and annually on that  
 3 date thereafter, the governing body of each such city shall certify to the  
 4 director of accounts and reports an amount equal to the amount by which  
 5 revenues realized from such ad valorem taxes imposed in such  
 6 redevelopment district are estimated to be reduced for the ensuing calendar  
 7 year due to legislative changes in the statewide school finance formula.  
 8 Prior to March 1 of each year, the director of accounts and reports shall  
 9 certify to the state treasurer each amount certified by the governing bodies  
 10 of cities under this section for the ensuing calendar year and shall transfer  
 11 from the state general fund to the city tax increment financing revenue  
 12 fund the aggregate of all amounts so certified. Prior to April 15 of each  
 13 year, the state treasurer shall pay from the city tax increment financing  
 14 revenue fund to each city certifying an amount to the director of accounts  
 15 and reports under this section for the ensuing calendar year the amount so  
 16 certified.

17 (b) There is hereby created the tax increment financing revenue  
 18 replacement fund which shall be administered by the state treasurer. All  
 19 expenditures from the tax increment financing revenue replacement fund  
 20 shall be made in accordance with appropriations acts upon warrants of the  
 21 director of accounts and reports issued pursuant to vouchers approved by  
 22 the state treasurer or a person or persons designated by the state treasurer.

23 Sec. 56. K.S.A. 2016 Supp. 12-1776a is hereby amended to read as  
 24 follows: 12-1776a. (a) As used in this section:

25 (1) "School district" means any school district in which is located a  
 26 redevelopment district for which bonds have been issued pursuant to  
 27 K.S.A. 12-1770 et seq., and amendments thereto.

28 (2) "Base year assessed valuation," "redevelopment district" and  
 29 "redevelopment project" shall have the meanings ascribed thereto by  
 30 K.S.A. 12-1770a, and amendments thereto.

31 (b) No later than November 1 of each year, the county clerk of each  
 32 county shall certify to the state board of education the assessed valuation  
 33 of any school district located within a redevelopment district in such  
 34 county. For the purposes of this section and for determining the amount of  
 35 state aid for school districts under *section 17 and* K.S.A. 75-2319, and  
 36 amendments thereto, the base year assessed valuation of property within  
 37 the boundaries of a redevelopment district shall be used when determining  
 38 the assessed valuation of a school district until the bonds issued pursuant  
 39 to K.S.A. 12-1770 et seq., and amendments thereto, to finance  
 40 redevelopment projects in the redevelopment district have been retired.

41 Sec. 57. K.S.A. 12-17,115 is hereby amended to read as follows: 12-  
 42 17,115. As used in this act:

43 (a) "Dilapidated structure" means a residence or other building which

1 is in deteriorating condition by reason of obsolescence, inadequate  
2 provision of ventilation, light, air or structural integrity or is otherwise in a  
3 condition detrimental to the health, safety or welfare of its inhabitants or a  
4 residence or other building which is in deteriorating condition and because  
5 of age, architecture, history or significance is worthy of preservation.

6 (b) "Municipality" means any municipality as defined by K.S.A. 10-  
7 1101, and amendments thereto.

8 (c) "Neighborhood revitalization area" means:

9 (1) An area in which there is a predominance of buildings or  
10 improvements which by reason of dilapidation, deterioration,  
11 obsolescence, inadequate provision for ventilation, light, air, sanitation, or  
12 open spaces, high density of population and overcrowding, the existence  
13 of conditions which endanger life or property by fire and other causes or a  
14 combination of such factors, is conducive to ill health, transmission of  
15 disease, infant mortality, juvenile delinquency or crime and which is  
16 detrimental to the public health, safety or welfare;

17 (2) an area which by reason of the presence of a substantial number  
18 of deteriorated or deteriorating structures, defective or inadequate streets,  
19 incompatible land use relationships, faulty lot layout in relation to size,  
20 adequacy, accessibility or usefulness, unsanitary or unsafe conditions,  
21 deterioration of site or other improvements, diversity of ownership, tax or  
22 special assessment delinquency exceeding the actual value of the land,  
23 defective or unusual conditions of title, or the existence of conditions  
24 which endanger life or property by fire and other causes, or a combination  
25 of such factors, substantially impairs or arrests the sound growth of a  
26 municipality, retards the provision of housing accommodations or  
27 constitutes an economic or social liability and is detrimental to the public  
28 health, safety or welfare in its present condition and use; or

29 (3) an area in which there is a predominance of buildings or  
30 improvements which by reason of age, history, architecture or significance  
31 should be preserved or restored to productive use.

32 (d) "Governing body" means the governing body of any municipality.

33 (e) "Increment" means, *except for any taxes levied by school districts*  
34 *pursuant to section 13 or K.S.A. 72-8801, and amendments thereto*, that  
35 amount of ad valorem taxes collected from real property located within the  
36 neighborhood revitalization area or from dilapidated structures outside the  
37 revitalization area that is in excess of the amount which is produced from  
38 such property and attributable to the assessed valuation of such property  
39 prior to the date the neighborhood revitalization area was established or  
40 the structure was declared dilapidated pursuant to this act.

41 Sec. 58. K.S.A. 2016 Supp. 72-978 is hereby amended to read as  
42 follows: 72-978. (a) Each year, the state board of education shall determine  
43 the amount of state aid for the provision of special education and related

1 services each school district shall receive for the ensuing school year. The  
 2 amount of such state aid shall be computed by the state board as provided  
 3 in this section. The state board shall:

4 (1) Determine the total amount of general fund and local option  
 5 budgets of all school districts;

6 (2) subtract from the amount determined in subsection (a)(1) the total  
 7 amount attributable to assignment of transportation weighting, ~~program~~  
 8 ~~weighting~~ *bilingual weighting, career technical education weighting,*  
 9 *special education weighting and at-risk-pupil student weighting,* ~~as those~~  
 10 ~~weightings were calculated under the school district finance and quality~~  
 11 ~~performance act, prior to its repeal,~~ to the enrollment of all school districts;

12 (3) divide the remainder obtained in subsection (a)(2) by the total  
 13 number of full-time equivalent pupils enrolled in all school districts on  
 14 September 20;

15 (4) determine the total full-time equivalent enrollment of exceptional  
 16 children receiving special education and related services provided by all  
 17 school districts;

18 (5) multiply the amount of the quotient obtained in subsection (a)(3)  
 19 by the full-time equivalent enrollment determined in subsection (a)(4);

20 (6) determine the amount of federal funds received by all school  
 21 districts for the provision of special education and related services;

22 (7) determine the amount of revenue received by all school districts  
 23 rendered under contracts with the state institutions for the provisions of  
 24 special education and related services by the state institution;

25 (8) add the amounts determined under subsections (a)(6) and (a)(7) to  
 26 the amount of the product obtained under subsection (a)(5);

27 (9) determine the total amount of expenditures of all school districts  
 28 for the provision of special education and related services;

29 (10) subtract the amount of the sum obtained under subsection (a)(8)  
 30 from the amount determined under subsection (a)(9); and

31 (11) multiply the remainder obtained under subsection (a)(10) by  
 32 92%.

33 The computed amount is the amount of state aid for the provision of  
 34 special education and related services aid a school district is entitled to  
 35 receive for the ensuing school year.

36 (b) Each school district shall ~~be entitled to~~ receive:

37 (1) Reimbursement for actual travel allowances paid to special  
 38 teachers at not to exceed the rate specified under K.S.A. 75-3203, and  
 39 amendments thereto, for each mile actually traveled during the school year  
 40 in connection with duties in providing special education or related services  
 41 for exceptional children; Such reimbursement shall be computed by the  
 42 state board by ascertaining the actual travel allowances paid to special  
 43 teachers by the school district for the school year and shall be in an

1 amount equal to 80% of such actual travel allowances;

2 (2) reimbursement in an amount equal to 80% of the actual travel  
3 expenses incurred for providing transportation for exceptional children to  
4 special education or related services;

5 (3) reimbursement in an amount equal to 80% of the actual expenses  
6 incurred for the maintenance of an exceptional child at some place other  
7 than the residence of such child for the purpose of providing special  
8 education or related services; Such reimbursement shall not exceed \$600  
9 per exceptional child per school year; and

10 (4) (A) except for those school districts ~~entitled to~~ *that* receive  
11 reimbursement under subsection (c) or (d), after subtracting the amounts of  
12 reimbursement under subsections (a)(1), (a)(2) and (a)(3) from the total  
13 amount appropriated for special education and related services under this  
14 act, an amount which bears the same proportion to the remaining amount  
15 appropriated as the number of full-time equivalent special teachers who  
16 are qualified to provide special education or related services to exceptional  
17 children and are employed by the school district for approved special  
18 education or related services bears to the total number of such qualified  
19 full-time equivalent special teachers employed by all school districts for  
20 approved special education or related services.

21 (B) Each special teacher who is qualified to assist in the provision of  
22 special education or related services to exceptional children shall be  
23 counted as  $\frac{2}{5}$  full-time equivalent special teacher who is qualified to  
24 provide special education or related services to exceptional children.

25 (C) For purposes of this subsection (b)(4), a special teacher, qualified  
26 to assist in the provision of special education and related services to  
27 exceptional children, who assists in providing special education and  
28 related services to exceptional children at either the state school for the  
29 blind or the state school for the deaf and whose services are paid for by a  
30 school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments  
31 thereto, shall be considered a special teacher of such school district.

32 (c) Each school district which has paid amounts for the provision of  
33 special education and related services under an interlocal agreement shall  
34 ~~be entitled to~~ receive reimbursement under subsection (b)(4). The amount  
35 of such reimbursement for the *school* district shall be the amount which  
36 bears the same relation to the aggregate amount available for  
37 reimbursement for the provision of special education and related services  
38 under the interlocal agreement, as the amount paid by such *school* district  
39 in the current school year for provision of such special education and  
40 related services bears to the aggregate of all amounts paid by all school  
41 districts in the current school year who have entered into such interlocal  
42 agreement for provision of such special education and related services.

43 (d) Each contracting school district which has paid amounts for the



1 provision of special education and related services as a member of a  
2 cooperative shall be entitled to receive reimbursement under subsection (b)  
3 (4). The amount of such reimbursement for the *school* district shall be the  
4 amount which bears the same relation to the aggregate amount available  
5 for reimbursement for the provision of special education and related  
6 services by the cooperative, as the amount paid by such *school* district in  
7 the current school year for provision of such special education and related  
8 services bears to the aggregate of all amounts paid by all contracting  
9 school districts in the current school year by such cooperative for  
10 provision of such special education and related services.

11 (e) No time spent by a special teacher in connection with duties  
12 performed under a contract entered into by the Kansas juvenile  
13 correctional complex, ~~the Atchison juvenile correctional facility,~~ the  
14 Larned juvenile correctional facility; or the Topeka juvenile correctional  
15 facility and a school district for the provision of special education services  
16 by such state institution shall be counted in making computations under  
17 this section.

18 (f) There is hereby established in every school district a fund which  
19 shall be called the special education fund, which fund shall consist of all  
20 moneys deposited therein or transferred thereto according to law.  
21 Notwithstanding any other provision of law, all moneys received by the  
22 school district from whatever source for special education shall be credited  
23 to the special education fund established by this section, except that: (1)  
24 Amounts of payments received by a school district under K.S.A. 72-979,  
25 and amendments thereto, and amounts of grants, if any, received by a  
26 school district under K.S.A. 72-983, and amendments thereto, shall be  
27 deposited in the general fund of the district and transferred to the special  
28 education fund; and (2) moneys received by a school district pursuant to  
29 lawful agreements made under K.S.A. 72-968, and amendments thereto,  
30 shall be credited to the special education fund established under the  
31 agreements.

32 (g) The expenses of a school district directly attributable to special  
33 education shall be paid from the special education fund and from special  
34 funds established under K.S.A. 72-968, and amendments thereto.

35 (h) Obligations of a school district pursuant to lawful agreements  
36 made under K.S.A. 72-968, and amendments thereto, shall be paid from  
37 the special education fund established by this section.

38 Sec. 59. K.S.A. 2016 Supp. 72-1046b is hereby amended to read as  
39 follows: 72-1046b. (a) As used in this section:

40 (1) "School district" means a school district organized and operating  
41 under the laws of this state and no part of which is located in Johnson  
42 county, Sedgwick county, Shawnee county or Wyandotte county.

43 (2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and

1 in attendance at a school located in a district in which such pupil is not a  
2 resident and who: (A) Lives  $2\frac{1}{2}$  or more miles from the attendance center  
3 the pupil would attend in the district in which the pupil resides and is not a  
4 resident of Johnson county, Sedgwick county, Shawnee county or  
5 Wyandotte county; or (B) is a member of the family of a pupil meeting the  
6 condition prescribed in ~~subpart~~ *subparagraph* (A).

7 (3) "Member of the family" means a brother or sister of the whole or  
8 half blood or by adoption, a stepbrother or stepsister, and a foster brother  
9 or foster sister.

10 (b) The board of education of any school district may allow any pupil  
11 who is not a resident of the district to enroll in and attend school in such  
12 district. The board of education of such district may furnish or provide  
13 transportation to any non-resident pupil who is enrolled in and attending  
14 school in the district pursuant to this section. If the district agrees to  
15 furnish or provide transportation to a non-resident pupil, such  
16 transportation shall be furnished or provided until the end of the school  
17 year. Prior to providing or furnishing transportation to a non-resident  
18 pupil, the district shall notify the board of education of the district in  
19 which the pupil resides that transportation will be furnished or provided.

20 (c) Pupils attending school in a school district in which the pupil does  
21 not reside pursuant to this section shall be counted as regularly enrolled in  
22 and attending school in the district where the pupil is enrolled for the  
23 purpose of computations under the ~~classroom learning assuring student~~  
24 ~~success act, K.S.A. 2016 Supp. 72-6463 et seq. Kansas school equity and~~  
25 ~~enhancement act, section 3 et seq.~~, and amendments thereto, *except*  
26 *computation of transportation weighting under such act*, and for the  
27 purposes of the statutory provisions contained in article 83 of chapter 72 of  
28 the Kansas Statutes Annotated, and amendments thereto. Such non-  
29 resident pupil shall not be charged for the costs of attendance at school.

30 ~~(d) Any pupil who was not a resident of the district in school year~~  
31 ~~2014-2015, but was allowed to enroll in and attend school in such district~~  
32 ~~in school year 2014-2015 by the board of education of such district and~~  
33 ~~any member of the family of such pupil regardless of whether such family~~  
34 ~~member enrolled in and attended school in such district in school year~~  
35 ~~2014-2015, shall be allowed to enroll in and attend school in such district~~  
36 ~~in school years 2015-2016 and 2016-2017 regardless of whether such~~  
37 ~~pupil or family member of such pupil is a resident of the district in either~~  
38 ~~school year, provided such pupil or such pupil's family member is in~~  
39 ~~compliance with any attendance and behavior policies of the district. If~~  
40 ~~transportation was furnished or provided to such pupil in school year~~  
41 ~~2014-2015 by the district, then transportation shall be furnished or~~  
42 ~~provided by the district to such pupil and any family member of such pupil~~  
43 ~~in school years 2015-2016 and 2016-2017, provided there is no change in~~

1 ~~such pupil's residence and no requirement for the district to furnish~~  
2 ~~transportation to any additional residence.~~

3 Sec. 60. K.S.A. 2016 Supp. 72-1398 is hereby amended to read as  
4 follows: 72-1398. (a) The national board for professional teaching  
5 standards certification incentive program is hereby established for the  
6 purpose of rewarding teachers who have attained certification from the  
7 national board. Teachers who have attained certification from the national  
8 board shall be issued a master teacher's license by the state board of  
9 education. A master teacher's license shall be valid for 10 years and  
10 renewable thereafter every 10 years through compliance with continuing  
11 education and professional development requirements prescribed by the  
12 state board. Teachers who have attained certification from the national  
13 board and who are employed by a school district shall be paid an incentive  
14 bonus in the amount of \$1,000 each school year that the teacher remains  
15 employed by a school district and retains a valid master teacher's license.

16 (b) The board of education of each school district employing one or  
17 more national board certified teachers shall pay the incentive bonus to  
18 each such teacher in each school year that the teacher retains eligibility for  
19 such payment. Each board of education which has made payments of  
20 incentive bonuses to national board certified teachers under this subsection  
21 may file an application with the state board of education for state aid and  
22 shall certify to the state board the amount of such payments. The  
23 application and certification shall be on a form prescribed and furnished by  
24 the state board, shall contain such information as the state board shall  
25 require and shall be filed at the time specified by the state board.

26 (c) In each school year, each school district employing one or more  
27 national board certified teachers is entitled to receive from appropriations  
28 for the national board for professional teaching standards certification  
29 incentive program an amount which is equal to the amount certified to the  
30 state board of education in accordance with the provisions of subsection  
31 (b). The state board shall certify to the director of accounts and reports the  
32 amount due each school district. The director of accounts and reports shall  
33 draw warrants on the state treasurer payable to the treasurer of each school  
34 district entitled to payment under this section upon vouchers approved by  
35 the state board.

36 (d) Moneys received by a board of education under this section shall  
37 be deposited in the general fund of the school district and shall be  
38 considered reimbursements to the district for the purpose of the ~~classroom~~  
39 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463-Kansas~~  
40 *school equity and enhancement act, section 3 et seq.*, and amendments  
41 thereto, and may be expended whether the same have been budgeted or  
42 not.

43 (e) The state board of education is authorized to provide scholarships

1 of \$1,100 each to teachers who are accepted to participate in the national  
2 board for professional teaching standards program for initial certification.  
3 The state board of education is authorized to provide scholarships of \$500  
4 each to teachers who are accepted to participate in the national board for  
5 professional teaching standards program for renewal of certification. Any  
6 teacher who has been accepted to participate in such program may file an  
7 application with the state board of education for a scholarship. The  
8 application shall be on a form prescribed and furnished by the state board,  
9 shall contain such information as the state board shall require and shall be  
10 filed at the time specified by the state board.

11 (f) As used in this section, the term "school district" means any  
12 school district organized and operating under the laws of this state.

13 Sec. 61. K.S.A. 2016 Supp. 72-1414 is hereby amended to read as  
14 follows: 72-1414. (a) On or before January 1, 2001, the state board of  
15 education shall adopt rules and regulations for the administration of  
16 mentor teacher programs and shall:

17 (1) Establish standards and criteria for evaluating and approving  
18 mentor teacher programs and applications of school districts for grants;

19 (2) evaluate and approve mentor teacher programs;

20 (3) establish criteria for determination of exemplary teaching ability  
21 of certificated teachers for qualification as mentor teachers;

22 (4) prescribe guidelines for the selection by boards of education of  
23 mentor teachers and for the provision by boards of education of training  
24 programs for mentor teachers;

25 (5) be responsible for awarding grants to school districts; and

26 (6) request of and receive from each school district which is awarded  
27 a grant for maintenance of a mentor teacher program reports containing  
28 information with regard to the effectiveness of the program.

29 (b) Subject to the availability of appropriations for mentor teacher  
30 programs maintained by school districts, and within the limits of any such  
31 appropriations, the state board of education shall determine the amount of  
32 grants to be awarded school districts by multiplying an amount not to  
33 exceed \$1,000 by the number of mentor teachers participating in the  
34 program maintained by a school district. The product is the amount of the  
35 grant to be awarded to the district. Upon receipt of a grant of state moneys  
36 for maintenance of a mentor teacher program, the amount of the grant shall  
37 be deposited in the general fund of the school district. Moneys deposited in  
38 the general fund of a school district under this subsection shall be  
39 considered reimbursements for the purpose of the ~~classroom learning~~  
40 ~~assuring student success act~~, K.S.A. 2016 Supp. 72-6463 *Kansas school*  
41 *equity and enhancement act*, section 3 et seq., and amendments thereto.  
42 The full amount of the grant shall be allocated among the mentor teachers  
43 employed by the school district so as to provide a mentor teacher with an

1 annual stipend in an amount not to exceed \$1,000. Such annual stipend  
2 shall be over and above the regular salary to which the mentor teacher is  
3 entitled for the school year.

4 Sec. 62. K.S.A. 2016 Supp. 72-1923 is hereby amended to read as  
5 follows: 72-1923. (a) Except as provided in K.S.A. 2016 Supp. 72-1925,  
6 and amendments thereto, the board of education of any school district may  
7 apply to the state board for a grant of authority to operate such school  
8 district as a public innovative district. The application shall be submitted in  
9 the form and manner prescribed by the state board, and shall be submitted  
10 not later than December 1 of the school year preceding the school year in  
11 which the school district intends to operate as a public innovative district.

12 (b) The application shall include the following:

13 (1) A description of the educational programs of the public innovative  
14 district;

15 (2) a description of the interest and support for partnerships between  
16 the public innovative district, parents and the community;

17 (3) the specific goals and the measurable pupil outcomes to be  
18 obtained by operating as a public innovative district; and

19 (4) an explanation of how pupil performance in achieving the  
20 specified outcomes will be measured, evaluated and reported.

21 (c) (1) Within 90 days from the date such application is submitted, the  
22 state board shall review the application to determine compliance with this  
23 section, and shall approve or deny such application on or before the  
24 conclusion of such 90-day period. If the application is determined to be in  
25 compliance with this section, the state board shall approve such  
26 application and grant the school district authority to operate as a public  
27 innovative district. Notification of such approval shall be sent to the board  
28 of education of such school district within 10 days after such decision.

29 (2) If the state board determines such application is not in compliance  
30 with either this section, or K.S.A. 2016 Supp. 72-1925, and amendments  
31 thereto, the state board shall deny such application. Notification of such  
32 denial shall be sent to the board of education of such school district within  
33 10 days after such decision and shall specify the reasons therefor. Within  
34 30 days from the date such notification is sent, the board of education of  
35 such school district may submit a request to the state board for  
36 reconsideration of the application and may submit an amended application  
37 with such request. The state board shall act on the request for  
38 reconsideration within 60 days of receipt of such request.

39 (d) A public innovative district shall:

40 (1) Not charge tuition for any of the pupils residing within the public  
41 innovative district;

42 (2) participate in all Kansas math and reading assessments applicable  
43 to such public innovative district, or an alternative assessment program for

1 measuring student progress as determined by the board of education;

2 (3) abide by all financial and auditing requirements that are  
3 applicable to school districts, except that a public innovative district may  
4 use generally accepted accounting principles;

5 (4) comply with all applicable health, safety and access laws; and

6 (5) comply with all statements set forth in the application submitted  
7 pursuant to subsection (a).

8 (e) (1) Except as otherwise provided in K.S.A. 2016 Supp. 72-1921  
9 through 72-1930, and amendments thereto, or as required by the board of  
10 education of the public innovative district, a public innovative district shall  
11 be exempt from all laws and rules and regulations that are applicable to  
12 school districts.

13 (2) A public innovative district shall be subject to the special  
14 education for exceptional children act, the virtual school act, the ~~classroom~~  
15 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
16 *school equity and enhancement act, section 3* et seq., and amendments  
17 thereto, the provisions of K.S.A. 72-8801 et seq., and amendments thereto,  
18 all laws governing the issuance of general obligation bonds by school  
19 districts, the provisions of K.S.A. 74-4901 et seq., and amendments  
20 thereto, and all laws governing the election of members of the board of  
21 education, the open meetings act as provided in K.S.A. 75-4317 et seq.,  
22 and amendments thereto, and the open records act as provided in K.S.A.  
23 45-215 et seq., and amendments thereto.

24 Sec. 63. K.S.A. 2016 Supp. 72-3712 is hereby amended to read as  
25 follows: 72-3712. As used in the virtual school act:

26 (a) "Virtual school" means any school or educational program that:  
27 (1) Is offered for credit; (2) uses distance-learning technologies which  
28 predominately use internet-based methods to deliver instruction; (3)  
29 involves instruction that occurs asynchronously with the teacher and ~~pupil~~  
30 *student* in separate locations; (4) requires the ~~pupil~~ *student* to make  
31 academic progress toward the next grade level and matriculation from  
32 kindergarten through high school graduation; (5) requires the ~~pupil~~ *student*  
33 to demonstrate competence in subject matter for each class or subject in  
34 which the ~~pupil~~ *student* is enrolled as part of the virtual school; and (6)  
35 requires age-appropriate ~~pupils~~ *students* to complete state assessment tests.

36 (b) "School district" means any school district which offers a virtual  
37 school.

38 (c) Except as provided by the virtual school act, words and phrases  
39 shall have the meanings ascribed thereto in ~~K.S.A. 2016 Supp. 72-6464~~  
40 *section 4*, and amendments thereto.

41 Sec. 64. K.S.A. 2016 Supp. 72-3715 is hereby amended to read as  
42 follows: 72-3715. (a) In order to be included in the full-time equivalent  
43 enrollment of a virtual school, a ~~pupil~~ *student* shall be in attendance at the

1 virtual school on: (1) A single school day on or before September 19 of  
 2 each school year; and (2) on a single school day on or after September 20,  
 3 but before October 4 of each school year.

4 (b) A school district which offers a virtual school shall determine the  
 5 full-time equivalent enrollment of each ~~pupil~~ *student* enrolled in the virtual  
 6 school on September 20 of each school year as follows:

7 (1) Determine the number of hours the ~~pupil~~ *student* was in  
 8 attendance on a single school day on or before September 19 of each  
 9 school year;

10 (2) determine the number of hours the ~~pupil~~ *student* was in attendance  
 11 on a single school day on or after September 20, but before October 4 of  
 12 each school year;

13 (3) add the numbers obtained under ~~paragraphs~~ *subsections (b)(1) and*  
 14 *(b)(2)*;

15 (4) divide the sum obtained under ~~paragraph~~ *subsection (b)(3)* by 12.  
 16 The quotient is the full-time equivalent enrollment of the ~~pupil~~ *student*.

17 (c) The school days on which a district determines the full-time  
 18 equivalent enrollment of a ~~pupil~~ *student* under subsections (b)(1) and (2)  
 19 shall be the school days on which the ~~pupil~~ *student* has the highest number  
 20 of hours of attendance at the virtual school. No more than six hours of  
 21 attendance may be counted in a single school day. Attendance may be  
 22 shown by a ~~pupil's~~ *student's* on-line activity or entries in the ~~pupil's~~  
 23 *student's* virtual school journal or log of activities.

24 (d) Subject to the availability of appropriations and within the limits  
 25 of any such appropriations, each school year a school district which offers  
 26 a virtual school shall receive virtual school state aid. The state board of  
 27 education shall determine the amount of virtual school state aid a school  
 28 district is to receive as follows:

29 (1) ~~For school year 2015-2016:~~

30 (A) ~~Determine the number of pupils~~ *students* enrolled in virtual  
 31 school on a full-time basis, excluding those ~~pupils~~ *students* who are over  
 32 ~~18 19~~ years of age, and multiply the total number of such ~~pupils~~ *students*  
 33 by \$5,000;

34 (B) (2) determine the full-time equivalent enrollment of ~~pupils~~  
 35 *students* enrolled in virtual school on a part-time basis, excluding those  
 36 pupils who are over ~~18 19~~ years of age, and multiply the total full-time  
 37 equivalent enrollment of such ~~pupils~~ *students* by ~~\$4,045~~ *by \$1,700*;

38 (C) (3) for ~~pupils~~ *students* enrolled in a virtual school who are over  
 39 ~~18 19~~ years of age, determine the number of one-hour credit courses such  
 40 ~~pupils~~ *students* have passed, *not to exceed six credit courses per school*  
 41 *year*; and multiply the total number of such courses by ~~\$933~~ *\$709*; and

42 (D) (4) add the amounts calculated under subsections (d)(1)(A)  
 43 through (d)(1)(C) (4). The resulting sum is the amount of virtual school

1 state aid the school district shall receive.

2 ~~(2) For school year 2016-2017:~~

3 ~~(A) Determine the number of pupils enrolled in virtual school on a~~  
 4 ~~full-time basis, excluding those pupils who are over 18 years of age, and~~  
 5 ~~multiply the total number of such pupils by \$5,600;~~

6 ~~(B) determine the full-time equivalent enrollment of pupils enrolled~~  
 7 ~~in virtual school on a part-time basis, excluding those pupils who are over~~  
 8 ~~18 years of age, and multiply the total full-time equivalent enrollment of~~  
 9 ~~such pupils by \$1,700;~~

10 ~~(C) for pupils enrolled in a virtual school who are over 18 years of~~  
 11 ~~age, determine the number of one-hour credit courses such pupils have~~  
 12 ~~passed and multiply the total number of such courses by \$933; and~~

13 ~~(D) add the amounts calculated under subsections (d)(2)(A) through~~  
 14 ~~(d)(2)(C). The resulting sum is the amount of virtual school state aid the~~  
 15 ~~school district shall receive.~~

16 ~~(3) For purposes of this subsection:~~

17 ~~(A) "Full-time" means attendance in a virtual school for no less than~~  
 18 ~~six hours as determined pursuant to subsection (b).~~

19 ~~(B) "Part-time" means attendance in a virtual school for less than six~~  
 20 ~~hours as determined pursuant to subsection (b).~~

21 ~~(e) (1) There is hereby established in every school district a fund~~  
 22 ~~which shall be called the virtual school fund, which fund shall consist of~~  
 23 ~~all moneys deposited therein or transferred thereto according to law. The~~  
 24 ~~expenses of a school district directly attributable to virtual schools offered~~  
 25 ~~by a school district may be paid from the virtual school fund. The cost of~~  
 26 ~~an advance placement course provided to a pupil student by a virtual~~  
 27 ~~school shall be paid by the virtual school. Amounts deposited in the virtual~~  
 28 ~~school fund may be transferred to the general fund of the school district as~~  
 29 ~~approved by the board of education. Moneys deposited in or otherwise~~  
 30 ~~transferred to the virtual school fund shall only be expended for those~~  
 31 ~~costs directly attributable to the provision of virtual instruction.~~

32 ~~(2) Any balance remaining in the virtual school fund at the end of the~~  
 33 ~~budget year shall be carried forward into the virtual school fund for~~  
 34 ~~succeeding budget years. Such fund shall not be subject to the provisions~~  
 35 ~~of K.S.A. 79-2925 through 79-2937, and amendments thereto.~~

36 ~~(3) In preparing the budget of such school district, the amounts~~  
 37 ~~credited to and the amount on hand in the virtual school fund, and the~~  
 38 ~~amount expended therefrom shall be included in the annual budget for the~~  
 39 ~~information of the residents of the school district. Interest earned on the~~  
 40 ~~investment of moneys in any such fund shall be credited to that fund.~~

41 ~~(f) For the purposes of this section, a pupil student enrolled in a~~  
 42 ~~virtual school who is not a resident of the state of Kansas shall not be~~  
 43 ~~counted in the full-time equivalent enrollment of the virtual school. The~~



1 virtual school shall record the permanent address of any ~~pupil~~ *student*  
 2 enrolled in such virtual school.

3 (g) *For purposes of this section:*

4 (A) *"Full-time" means attendance in a virtual school for no less than*  
 5 *six hours as determined pursuant to subsection (b).*

6 (B) *"Part-time" means attendance in a virtual school for less than six*  
 7 *hours as determined pursuant to subsection (b).*

8 (h) *In recognition of the continuing work of the state board in*  
 9 *evaluating virtual school programs and to allow the legislature time to*  
 10 *review virtual school funding to ensure that such funding is reasonably*  
 11 *calculated to have students meet or exceed the educational goal set forth*  
 12 *in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, the provisions*  
 13 *of subsections (a) through (d) shall expire on July 1, 2020.*

14 Sec. 65. K.S.A. 2016 Supp. 72-5333b is hereby amended to read as  
 15 follows: 72-5333b. (a) The unified school district maintaining and  
 16 operating a school on the Fort Leavenworth military reservation, being  
 17 unified school district No. 207 of Leavenworth county, state of Kansas,  
 18 shall have a governing body, which shall be known as the "Fort  
 19 Leavenworth school district board of education" and which shall consist of  
 20 three members who shall be appointed by, and serve at the pleasure of the  
 21 commanding general of Fort Leavenworth. One member of the board shall  
 22 be the president and one member shall be the vice-president. The  
 23 commanding general, when making any appointment to the board, shall  
 24 designate which of the offices the member so appointed shall hold. Except  
 25 as otherwise expressly provided in this section, the district board and the  
 26 officers thereof shall have and may exercise all the powers, duties,  
 27 authority and jurisdiction imposed or conferred by law on unified school  
 28 districts and boards of education thereof, except such school district shall  
 29 not offer or operate any of grades 10 through 12.

30 (b) The board of education of the school district shall not have the  
 31 power to issue bonds.

32 (c) Except as otherwise expressly provided in this subsection, the  
 33 provisions of the ~~classroom learning assuring student success act, K.S.A.~~  
 34 ~~2016 Supp. 72-6463~~ *Kansas school equity and enhancement act, section 3*  
 35 *et seq., and amendments thereto, apply to the school district. As applied to*  
 36 *the school district, the terms "local foundation aid" and "federal impact*  
 37 *aid" shall not include any moneys received by the school district under*  
 38 *subsection (3)(d)(2)(b) of public law 81-874. Any such moneys received*  
 39 *by the school district shall be deposited in the general fund of the school*  
 40 *district or, at the discretion of the board of education, in the capital outlay*  
 41 *fund of the school district.*

42 Sec. 66. K.S.A. 2016 Supp. 72-64b01 is hereby amended to read as  
 43 follows: 72-64b01. (a) No school district shall expend, use or transfer any

1 moneys from the general fund of the district for the purpose of engaging in  
2 or supporting in any manner any litigation by the school district or any  
3 person, association, corporation or other entity against the state of Kansas,  
4 the state board of education, the state department of education, other state  
5 agency or any state officer or employee regarding *the Kansas school*  
6 *equity and enhancement act* or any other law concerning school finance.  
7 No such moneys shall be paid, donated or otherwise provided to any  
8 person, association, corporation or other entity and used for the purpose of  
9 any such litigation.

10 (b) Nothing in *section 15, and amendments thereto, or this section*  
11 shall be construed as prohibiting the expenditure, use or transfer of  
12 moneys from *that portion of* the proceeds of any tax levied by a school  
13 district pursuant to ~~K.S.A. 2016 Supp. 72-6472~~ *section 19*, and  
14 amendments thereto, *that was levied to finance a school district's local*  
15 *option budget*, for the purposes specified in subsection (a).

16 Sec. 67. K.S.A. 2016 Supp. 72-64c03 is hereby amended to read as  
17 follows: 72-64c03. The appropriation of moneys necessary to pay general  
18 state aid and supplemental general state aid under the ~~classroom learning~~  
19 ~~assuring student success act~~, ~~K.S.A. 2016 Supp. 72-6463~~ *Kansas school*  
20 *equity and enhancement act*, *section 3 et seq.*, and amendments thereto,  
21 and state aid for the provision of special education and related services  
22 under the special education for exceptional children act shall be given first  
23 priority in the legislative budgeting process and shall be paid first from  
24 existing state revenues.

25 Sec. 68. K.S.A. 2016 Supp. 72-64c05 is hereby amended to read as  
26 follows: 72-64c05. Article 6 of the constitution of the state of Kansas  
27 states that the legislature shall provide for intellectual, educational,  
28 vocational and scientific improvement by establishing and maintaining  
29 public schools; provide for a state board of education having general  
30 supervision of public schools, educational institutions and the educational  
31 interests of the state, except those delegated by law to the state board of  
32 regents; and make suitable provision for finance of the educational  
33 interests of the state. It is the purpose and intention of the legislature to  
34 provide a financing system for the education of kindergarten and grades  
35 one through 12 which provides students with the capacities set forth in  
36 K.S.A. 2016 Supp. 72-1127, and amendments thereto. Such financing  
37 system shall be sufficiently flexible for the legislature to consider and  
38 utilize financing methods from all available resources in order to satisfy  
39 the constitutional requirements under article 6. Such financing methods  
40 shall include, but are not limited to, the following:

41 (a) Federal funding to unified school districts or public schools,  
42 including any grants or federal assistance;

43 (b) subject to appropriations by the legislature, appropriations of state

1 moneys for the improvement of public education, including, but not  
2 limited to, the following:

3 (1) Financing to unified school districts through the ~~classroom-~~  
4 ~~learning-assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
5 *school equity and enhancement act, section 3* et seq., and amendments  
6 thereto;

7 (2) financing to unified school districts through any provisions which  
8 provide state aid, such as capital improvements state aid, capital outlay  
9 state aid and any other state aid paid, distributed or allocated to school  
10 districts on the basis of the assessed valuation of school districts;

11 (3) employer contributions to the Kansas public employees retirement  
12 system for public schools;

13 (4) appropriations to the Kansas children's cabinet for programs  
14 serving students enrolled in unified school districts in meeting the goal  
15 specified in K.S.A. 2016 Supp. 72-1127, and amendments thereto;

16 (5) appropriations to any programs which provide early learning to  
17 four-year-old children with the purpose of preparing them for success in  
18 public schools;

19 (6) appropriations to any programs, such as communities in schools,  
20 which provide individualized support to students enrolled in unified school  
21 districts in meeting the goal specified in K.S.A. 2016 Supp. 72-1127, and  
22 amendments thereto;

23 (7) transportation financing, including any transfers from the state  
24 general fund and state highway fund to the state department of education  
25 to provide technical education transportation, special education  
26 transportation or school bus safety;

27 (8) financing to other facilities providing public education to students,  
28 such as the Kansas state school for the blind, the Kansas state school for  
29 the deaf, school district juvenile detention facilities and the Flint Hills job  
30 corps center;

31 (9) appropriations relating to the Kansas academy of mathematics and  
32 science;

33 (10) appropriations relating to teaching excellence, such as  
34 scholarships, awards, training or in-service workshops;

35 (11) appropriations to the state board of regents to provide technical  
36 education incentives to unified school districts and tuition costs to  
37 postsecondary institutions which provide career technical education to  
38 secondary students; and

39 (12) appropriations to any postsecondary educational institution  
40 which provides postsecondary education to a secondary student without  
41 charging tuition to such student;

42 (c) any provision which authorizes the levying of local taxes for the  
43 purpose of financing public schools; and

1 (d) any transfer of funds or appropriations from one object or fund to  
2 another approved by the legislature for the purpose of financing public  
3 schools.

4 Sec. 69. K.S.A. 2016 Supp. 72-6622 is hereby amended to read as  
5 follows: 72-6622. In the event that all of the property acquired by any two  
6 cities under the provisions of K.S.A. 3-404 et seq., and amendments  
7 thereto, is included within the territory of a unified school district in which  
8 only one of such cities is located:

9 (a) One-half of the assessed valuation of such property shall be  
10 assigned to each of the two school districts in which such cities are located  
11 for the purposes of determining the assessed valuation of each district for  
12 ~~entitlement to:~~ (1) *Supplemental state aid under section 17, and*  
13 *amendments thereto; and (2) payment from the school district capital*  
14 *improvements fund under K.S.A. 75-2319, and amendments thereto;*

15 (b) The revenue to be received by each district under subsection (c)  
16 shall be used as a receipt by such district in computing its ad valorem tax  
17 requirement for each tax levy fund; and

18 (c) Such property shall be subject to taxation for school purposes at a  
19 rate equal to the aggregate of all rates imposed for school purposes upon  
20 property located within the school district in which such property is  
21 located, but one-half of the proceeds derived from such levy shall be  
22 allocated to each of the two school districts in which such cities are  
23 located.

24 Sec. 70. K.S.A. 2016 Supp. 72-6624 is hereby amended to read as  
25 follows: 72-6624. (a) As used in this section:

26 (1) "School district" means unified school district No. 404, unified  
27 school district No. 493, unified school district No. 499 and unified school  
28 district No. 508.

29 (2) "Property" means any property, and improvements thereon,  
30 comprising a racetrack gaming facility or lottery gaming facility under the  
31 Kansas expanded lottery act located in Cherokee county.

32 (3) "State aid" means general state aid, *supplemental state aid*, capital  
33 improvements state aid, capital outlay state aid and any other state aid  
34 paid, distributed or allocated to school districts under the ~~classroom-~~  
35 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
36 *school equity and enhancement act, section 3* et seq., and amendments  
37 thereto, or other law, and any other state aid paid, distributed or allocated  
38 to school districts on the basis of the assessed valuation of school districts.

39 (b) For the purposes of computing the assessed valuation of school  
40 districts for the payment, distribution or allocation of state aid and the  
41 levying of school taxes,  $\frac{1}{4}$  of the assessed valuation of such property shall  
42 be assigned to each of the school districts.

43 (c) The provisions of this section shall not apply if the property is not

1 or ceases to be used as a racetrack gaming facility or lottery gaming  
2 facility under the Kansas expanded lottery act.

3 Sec. 71. K.S.A. 2016 Supp. 72-6625 is hereby amended to read as  
4 follows: 72-6625. (a) As used in this section:

5 (1) "School district" means unified school district No. 507 and  
6 unified school district No. 374.

7 (2) "Property" means the following described property, and  
8 improvements thereon, comprised of 1,120 acres, more or less, located in  
9 Haskell county: All of Section 34, Township 29 South, Range 33 West and  
10 the West  $\frac{1}{2}$  of Section 3, Township 30 South, Range 33 West and the  
11 Northeast Quarter of Section 3, Township 30 South, Range 33 West.

12 (3) "State aid" means general state aid, *supplemental state aid*, capital  
13 improvements state aid, capital outlay state aid and any other state aid  
14 paid, distributed or allocated to school districts under the ~~classroom-~~  
15 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
16 *school equity and enhancement act, section 3* et seq., and amendments  
17 thereto, or other law, and any other state aid paid, distributed or allocated  
18 to school districts on the basis of the assessed valuation of school districts.

19 (b) For the purposes of computing the assessed valuation of school  
20 districts for the payment, distribution or allocation of state aid and the  
21 levying of school taxes,  $\frac{1}{2}$  of the assessed valuation of such property shall  
22 be assigned to each of the school districts.

23 (c) The provisions of this section shall not apply if the property is not  
24 or ceases to be used for the production of ethanol.

25 Sec. 72. K.S.A. 2016 Supp. 72-6757 is hereby amended to read as  
26 follows: 72-6757. (a) As used in this section:

27 (1) "Receiving school district" means a school district of  
28 nonresidence of a pupil who attends school in such school district.

29 (2) "Sending school district" means a school district of residence of a  
30 pupil who attends school in a school district not of the pupil's residence.

31 (b) The board of education of any school district may make and enter  
32 into contracts with the board of education of any receiving school district  
33 located in this state for the purpose of providing for the attendance of  
34 pupils at school in the receiving school district.

35 (c) The board of education of any school district may make and enter  
36 into contracts with the governing authority of any accredited school  
37 district located in another state for the purpose of providing for the  
38 attendance of pupils from this state at school in such other state or for the  
39 attendance of pupils from such other state at school in this state.

40 (d) Pupils attending school in a receiving school district in  
41 accordance with a contract authorized by this section and made and  
42 entered into by such receiving school district with a sending school district  
43 located in this state shall be counted as regularly enrolled in and attending

1 school in the sending school district for the purpose of computations under  
2 the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
3 ~~6463~~ *Kansas school equity and enhancement act, section 3 et seq.*, and  
4 amendments thereto.

5 (e) Any contract made and entered into under authority of this section  
6 is subject to the following conditions:

7 (1) The contract shall be for the benefit of pupils who reside at  
8 inconvenient or unreasonable distances from the schools maintained by the  
9 sending school district or for pupils who, for any other reason deemed  
10 sufficient by the board of education of the sending school district, should  
11 attend school in a receiving school district;

12 (2) the contract shall make provision for the payment of tuition by the  
13 sending school district to the receiving school district;

14 (3) if a sending school district is located in this state and the receiving  
15 school district is located in another state, the amount of tuition provided to  
16 be paid for the attendance of a pupil or pupils at school in the receiving  
17 school district shall not exceed  $\frac{1}{2}$  of the amount of the budget per pupil of  
18 the sending school district under the ~~classroom learning assuring student~~  
19 ~~success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas school equity and*  
20 *enhancement act, section 3 et seq.*, and amendments thereto, for the  
21 current school year; and

22 (4) the contract shall make provision for transportation of pupils to  
23 and from the school attended on every school day.

24 (f) Amounts received pursuant to contracts made and entered into  
25 under authority of this section by a school district located in this state for  
26 enrollment and attendance of pupils at school in regular educational  
27 programs shall be deposited in the general fund of the school district.

28 (g) The provisions of subsection (e)(3) do not apply to unified school  
29 district No. ~~104, Jewell county~~ *107, Rock Hills*.

30 (h) The provisions of this section do not apply to contracts made and  
31 entered into under authority of the special education for exceptional  
32 children act.

33 (i) The provisions of this section are deemed to be alternative to the  
34 provisions of K.S.A. 72-8233, and amendments thereto, and no procedure  
35 or authorization under K.S.A. 72-8233, and amendments thereto, shall be  
36 limited by the provisions of this section.

37 Sec. 73. K.S.A. 2016 Supp. 72-67,115 is hereby amended to read as  
38 follows: 72-67,115. (a) The board of education of any school district may:

39 (1) Offer and teach courses and conduct preschool programs for  
40 children under the age of eligibility to attend kindergarten.

41 (2) Enter into cooperative or interlocal agreements with one or more  
42 other boards for the establishment, operation and maintenance of such  
43 preschool programs.

1 (3) Contract with private, nonprofit corporations or associations or  
2 with any public or private agency or institution, whether located within or  
3 outside the state, for the establishment, operation and maintenance of such  
4 preschool programs.

5 (4) Prescribe and collect fees for providing such preschool programs.

6 (b) Fees for providing preschool programs shall be prescribed and  
7 collected only to recover the costs incurred as a result of and directly  
8 attributable to the establishment, operation and maintenance of the  
9 preschool programs. Revenues from fees collected by a board under this  
10 section shall be deposited in the general fund of the school district and  
11 shall be considered reimbursements to the district for the purpose of the  
12 ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
13 ~~6463~~ *Kansas school equity and enhancement act, section 3* et seq., and  
14 amendments thereto, and may be expended whether the same have been  
15 budgeted or not and amounts so expended shall not be considered  
16 operating expenses.

17 Sec. 74. K.S.A. 2016 Supp. 72-7535 is hereby amended to read as  
18 follows: 72-7535. (a) In order to equip students with the knowledge and  
19 skills needed to become self-supporting and to enable students to make  
20 critical decisions regarding personal finances, the state board of education  
21 shall authorize and assist in the implementation of programs on teaching  
22 personal financial literacy.

23 (b) The state board of education shall develop a curriculum, materials  
24 and guidelines that local boards of education and governing authorities of  
25 accredited nonpublic schools may use in implementing the program of  
26 instruction on personal financial literacy. The state board of education  
27 shall adopt a glossary of personal financial literacy terms which shall be  
28 used by school districts when implementing the program on personal  
29 financial literacy.

30 (c) The state board of education shall develop state curriculum  
31 standards for personal financial literacy, for all grade levels, within the  
32 existing mathematics curriculum or another appropriate subject-matter  
33 curriculum.

34 (d) The state board of education shall encourage school districts when  
35 selecting textbooks for mathematics, economics, family and consumer  
36 science, accounting or other appropriate courses, to select those textbooks  
37 which contain substantive provisions on personal finance, including  
38 personal budgeting, credit, debt management and other topics concerning  
39 personal financial literacy.

40 (e) The state board of education shall include questions relating to  
41 personal financial literacy in the statewide assessments for mathematics or  
42 social studies required under ~~K.S.A. 2016 Supp. 72-6479~~ *section 42*, and  
43 amendments thereto. When the statewide assessments for mathematics or

1 social studies are reviewed or rewritten, the state board of education shall  
2 examine the questions relating to personal financial literacy and rewrite  
3 such questions in order to determine if programs on personal financial  
4 literacy are equipping students with the knowledge and skills needed to  
5 become self-supporting and enabling students to make critical decisions  
6 regarding personal finances.

7 Sec. 75. K.S.A. 2016 Supp. 72-8187 is hereby amended to read as  
8 follows: 72-8187. (a) In each school year, to the extent that appropriations  
9 are available, each school district which has provided educational services  
10 for pupils residing at the Flint Hills job corps center, for pupils housed at a  
11 psychiatric residential treatment facility or for pupils confined in a juvenile  
12 detention facility is eligible to receive a grant of state moneys in an  
13 amount to be determined by the state board of education.

14 (b) In order to be eligible for a grant of state moneys provided for by  
15 this section, each school district which has provided educational services  
16 for pupils residing at the Flint Hills job corps center, for pupils housed at a  
17 psychiatric residential treatment facility or for pupils confined in a juvenile  
18 detention facility shall submit to the state board of education an  
19 application for a grant and shall certify the amount expended, and not  
20 reimbursed or otherwise financed, in the school year for the services  
21 provided. The application and certification shall be prepared in such form  
22 and manner as the state board shall require and shall be submitted at a time  
23 to be determined and specified by the state board. Approval by the state  
24 board of applications for grants of state moneys is prerequisite to the  
25 award of grants.

26 (c) Each school district which is awarded a grant under this section  
27 shall make such periodic and special reports of statistical and financial  
28 information to the state board as it may request.

29 (d) All moneys received by a school district under authority of this  
30 section shall be deposited in the general fund of the school district and  
31 shall be considered reimbursement of the district for the purpose of the  
32 ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
33 ~~6463~~ *Kansas school equity and enhancement act, section 3 et seq.*, and  
34 amendments thereto.

35 (e) The state board of education shall approve applications of school  
36 districts for grants, determine the amount of grants and be responsible for  
37 payment of grants to school districts. In determining the amount of a grant  
38 which a school district is eligible to receive, the state board shall compute  
39 the amount of state financial aid the district would have received on the  
40 basis of enrollment of pupils residing at the Flint Hills job corps center,  
41 housed at a psychiatric residential treatment facility or confined in a  
42 juvenile detention facility if such pupils had been counted as two pupils  
43 under the school district finance and quality performance act and compare



1 such computed amount to the amount certified by the district under  
2 subsection (b). The amount of the grant the district is eligible to receive  
3 shall be an amount equal to the lesser of the amount computed under this  
4 subsection or the amount certified under subsection (b). If the amount of  
5 appropriations for the payment of grants under this section is insufficient  
6 to pay in full the amount each school district is determined to be eligible to  
7 receive for the school year, the state board shall prorate the amount  
8 appropriated among all school districts which are eligible to receive grants  
9 of state moneys in proportion to the amount each school district is  
10 determined to be eligible to receive.

11 (f) On or before July 1 of each year, the secretary for aging and  
12 disability services shall submit to the Kansas department of education a list  
13 of facilities which have been certified and licensed as psychiatric  
14 residential treatment facilities.

15 (g) As used in this section:

16 (1) "Enrollment" means the number of pupils who are: (A) Residing  
17 at the Flint Hills job corps center, confined in a juvenile detention facility  
18 or residing at a psychiatric residential treatment facility; and (B) for whom  
19 a school district is providing educational services on September 20, on  
20 November 20, or on April 20 of a school year, whichever is the greatest  
21 number of pupils;

22 (2) "juvenile detention facility" means any public or private facility  
23 which is used for the lawful custody of accused or adjudicated juvenile  
24 offenders and which shall not be a jail; and

25 (3) "psychiatric residential treatment facility" means a facility which  
26 provides psychiatric services to individuals under the age of 21 and which  
27 conforms with the regulations of the centers for medicare/medicaid  
28 services, is licensed and certified by the Kansas department for aging and  
29 disability services pursuant to subsection (f).

30 Sec. 76. K.S.A. 2016 Supp. 72-8190 is hereby amended to read as  
31 follows: 72-8190. (a) For the purpose of determination of *supplemental*  
32 *state aid under section 17, and amendments thereto, and payments from*  
33 *the school district capital improvements fund under K.S.A. 75-2319, and*  
34 *amendments thereto, notwithstanding any provision of either such*  
35 *statutory section to the contrary, the term assessed valuation per pupil, as*  
36 *applied to unified school district No. 203, Wyandotte county, shall not*  
37 *include within its meaning the assessed valuation of property which is*  
38 *owned by Sunflower Racing, Inc. and operated as a racetrack facility*  
39 *known as the Woodlands. The meaning of assessed valuation per pupil as*  
40 *provided in this subsection, for the purposes specified in this subsection,*  
41 *and as applied to the unified school district designated in this subsection,*  
42 *shall be in force and effect for the 1994-95 and 1995-96 school years.*

43 (b) (1) In the event unified school district No. 203, Wyandotte county,

1 receives in any school year the proceeds from any taxes which may be  
2 paid upon the Woodlands for the 1994-95 school year or the 1995-96  
3 school year or for both such school years, the state board of education  
4 shall deduct an amount equal to the amount of such tax proceeds from  
5 future payments of state aid to which the district is entitled.

6 (2) For the purposes of this subsection, the term "state aid" means  
7 payments from the school district capital improvements fund.

8 Sec. 77. K.S.A. 2016 Supp. 72-8230 is hereby amended to read as  
9 follows: 72-8230. (a) In the event the boards of education of any two or  
10 more school districts enter into a school district interlocal cooperation  
11 agreement for the purpose of jointly and cooperatively performing any of  
12 the services, duties, functions, activities, obligations or responsibilities  
13 which are authorized or required by law to be performed by school  
14 districts of this state, the following conditions shall apply:

15 (1) A school district interlocal cooperation agreement shall establish a  
16 board of directors which shall be responsible for administering the joint or  
17 cooperative undertaking. The agreement shall specify the organization and  
18 composition of and manner of appointment to the board of directors. Only  
19 members of boards of education of school districts party to the agreement  
20 shall be eligible for membership on the board of directors. The terms of  
21 office of members of the board of directors shall expire concurrently with  
22 their terms as board of education members. Vacancies in the membership  
23 of the board of directors shall be filled within 30 days from the date of the  
24 vacancy in the manner specified in the agreement.

25 (2) A school district interlocal cooperation agreement may provide  
26 for the establishment and composition of an executive board. The  
27 members of the executive board, if established, shall be selected by the  
28 board of directors from its membership. The executive board shall exercise  
29 the powers, have the responsibilities, and perform the duties and functions  
30 of the board of directors to the extent authority to do so is delegated by the  
31 board of directors.

32 (3) A school district interlocal cooperation agreement shall be  
33 effective only after approval by the state board of education.

34 (4) A school district interlocal cooperation agreement shall be subject  
35 to change or termination by the legislature.

36 (5) The duration of a school district interlocal cooperation agreement  
37 for joint or cooperative action in performing any of the services, duties,  
38 functions, activities, obligations or responsibilities, other than the  
39 provision of special education services, which are authorized or required  
40 by law to be performed by school districts of this state, shall be for a term  
41 of at least three years but not exceeding five years.

42 (6) (A) The duration of a school district interlocal cooperation  
43 agreement for joint or cooperative action in providing special education

1 services shall be perpetual unless the agreement is partially or completely  
2 terminated in accordance with this provision. This provision applies to  
3 every school district interlocal cooperation agreement for the provision of  
4 special education services entered into under authority of this section after  
5 the effective date of this act and to every such agreement entered into  
6 under this section prior to the effective date of this act, and extant on the  
7 effective date of this act, regardless of any provisions in such an agreement  
8 to the contrary.

9 (B) Partial termination of a school district interlocal cooperation  
10 agreement for the provision of special education services made and  
11 entered into by the boards of three or more school districts may be  
12 accomplished only upon petition for withdrawal from the agreement by a  
13 contracting school district to the other contracting school districts and  
14 approval by the state board of written consent to the petition by such other  
15 school districts or upon order of the state board after appeal to it by a  
16 school district from denial of consent to a petition for withdrawal and  
17 hearing thereon conducted by the state board. The state board shall  
18 consider all the testimony and evidence brought forth at the hearing and  
19 issue an order approving or disapproving withdrawal by the school district  
20 from the agreement.

21 (C) Complete termination of a school district interlocal cooperation  
22 agreement for the provision of special education services made and  
23 entered into by the boards of two school districts may be accomplished  
24 upon approval by the state board of a joint petition made to the state board  
25 for termination of the agreement by both of the contracting school districts  
26 after adoption of a resolution to that effect by each of the contracting  
27 school districts or upon petition for withdrawal from the agreement made  
28 by a contracting school district to the other contracting school district and  
29 approval by the state board of written consent to the petition by such other  
30 school district or upon order of the state board after appeal to it by a school  
31 district from denial of consent to a petition for withdrawal and hearing  
32 thereon conducted by the state board. The state board shall consider all the  
33 testimony and evidence brought forth at the hearing and issue an order  
34 approving or disapproving withdrawal by the school district from the  
35 agreement.

36 (D) Complete termination of a school district interlocal cooperation  
37 agreement for the provision of special education services made and  
38 entered into by the boards of three or more school districts may be  
39 accomplished only upon approval by the state board of a joint petition  
40 made to the state board for termination of the agreement by not less than  
41  $\frac{2}{3}$  of the contracting school districts after adoption of a resolution to that  
42 effect by each of the contracting school districts seeking termination of the  
43 agreement. The state board shall consider the petition and approve or

1 disapprove termination of the agreement.

2 (E) The state board shall take such action in approving or  
3 disapproving the complete or partial termination of a school district  
4 interlocal cooperation agreement for the provision of special education  
5 services as the state board deems to be in the best interests of the involved  
6 school districts and of the state as a whole in the provision of special  
7 education services for exceptional children. Whenever the state board has  
8 disapproved the complete or partial termination of such an agreement, no  
9 further action with respect to such agreement shall be considered or taken  
10 by the state board for a period of not less than three years.

11 (7) A school district interlocal cooperation agreement shall specify  
12 the method or methods to be employed for disposing of property upon  
13 partial or complete termination.

14 (8) Within the limitations provided by law, a school district interlocal  
15 cooperation agreement may be changed or modified by affirmative vote of  
16 not less than  $\frac{2}{3}$  of the contracting school districts.

17 (b) Except as otherwise specifically provided in this subsection, any  
18 power or powers, privileges or authority exercised or capable of exercise  
19 by any school district of this state, or by any board of education thereof,  
20 may be jointly exercised pursuant to the provisions of a school district  
21 interlocal cooperation agreement. No power or powers, privileges or  
22 authority with respect to the levy and collection of taxes, the issuance of  
23 bonds, or the purposes and provisions of the ~~classroom learning assuring~~  
24 ~~student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas school equity and*  
25 *enhancement act, section 3* et seq., and amendments thereto, or title I of  
26 public law 874 shall be created or effectuated for joint exercise pursuant to  
27 the provisions of a school district interlocal cooperation agreement.

28 (c) Payments from the general fund of each school district which  
29 enters into any school district interlocal cooperation agreement for the  
30 purpose of financing the joint or cooperative undertaking provided for by  
31 the agreement shall be operating expenses.

32 (d) Upon partial termination of a school district interlocal cooperation  
33 agreement, the board of directors established under a renegotiated  
34 agreement thereof shall be the successor in every respect to the board of  
35 directors established under the former agreement.

36 (e) Nothing contained in this section shall be construed to abrogate,  
37 interfere with, impair, qualify or affect in any manner the exercise and  
38 enjoyment of all of the powers, privileges and authority conferred upon  
39 school districts and boards of education thereof by the provisions of the  
40 interlocal cooperation act, except that boards of education and school  
41 districts are required to comply with the provisions of this section when  
42 entering into an interlocal cooperation agreement that meets the definition  
43 of school district interlocal cooperation agreement.

1 (f) As used in this section:

2 (1) "School district interlocal cooperation agreement" means an  
3 agreement which is entered into by the boards of education of two or more  
4 school districts pursuant to the provisions of the interlocal cooperation act.

5 (2) "State board" means the state board of education.

6 Sec. 78. K.S.A. 2016 Supp. 72-8233 is hereby amended to read as  
7 follows: 72-8233. (a) In accordance with the provisions of this section, the  
8 boards of education of any two or more unified school districts may make  
9 and enter into agreements providing for the attendance of pupils residing  
10 in one school district at school in kindergarten or any of the grades one  
11 through 12 maintained by any such other school district. The boards of  
12 education may also provide by agreement for the combination of  
13 enrollments for kindergarten or one or more grades, courses or units of  
14 instruction.

15 (b) Prior to entering into any agreement under authority of this  
16 section, the board of education shall adopt a resolution declaring that it has  
17 made a determination that such an agreement should be made and that the  
18 making and entering into of such an agreement would be in the best  
19 interests of the educational system of the school district. Any such  
20 agreement is subject to the following conditions:

21 (1) The agreement may be for any term not exceeding a term of five  
22 years.

23 (2) The agreement shall be subject to change or termination by the  
24 legislature.

25 (3) Within the limitations provided by law, the agreement may be  
26 changed or terminated by mutual agreement of the participating boards of  
27 education.

28 (4) The agreement shall make provision for transportation of pupils to  
29 and from the school attended on every school day, for payment or sharing  
30 of the costs and expenses of pupil attendance at school, and for the  
31 authority and responsibility of the participating boards of education.

32 (c) Provision by agreements entered into under authority of this  
33 section for the attendance of pupils at school in a school district of  
34 nonresidence of such pupils shall be deemed to be compliance with the  
35 kindergarten, grade, course and units of instruction requirements of law.

36 (d) The board of education of any school district which enters into an  
37 agreement under authority of this section for the attendance of pupils at  
38 school in another school district may discontinue kindergarten or any or all  
39 of the grades, courses and units of instruction specified in the agreement  
40 for attendance of pupils enrolled in kindergarten or any such grades,  
41 courses and units of instruction at school in such other school district.  
42 Upon discontinuing kindergarten or any grade, course or unit of instruction  
43 under authority of this subsection, the board of education may close any

1 school building or buildings operated or used for attendance by pupils  
2 enrolled in such discontinued kindergarten, grades, courses or units of  
3 instruction. The closing of any school building under authority of this  
4 subsection shall require a majority vote of the members of the board of  
5 education and shall require no other procedure or approval.

6 (e) Pupils attending school in a school district of nonresidence of  
7 such pupils in accordance with an agreement made and entered into under  
8 authority of this section shall be counted as regularly enrolled in and  
9 attending school in the school district of residence of such pupils for the  
10 purpose of computations under the ~~classroom learning assuring student~~  
11 ~~success act~~, K.S.A. 2016 Supp. 72-6463 *Kansas school equity and*  
12 *enhancement act*, section 3 et seq., and amendments thereto.

13 (f) Pupils who satisfactorily complete grade 12 while in attendance at  
14 school in a school district of nonresidence of such pupils in accordance  
15 with the provisions of an agreement entered into under authority of this  
16 section shall be certified as having graduated from the school district of  
17 residence of such pupils unless otherwise provided for by the agreement.

18 Sec. 79. K.S.A. 2016 Supp. 72-8236 is hereby amended to read as  
19 follows: 72-8236. (a) The board of education of any school district may:  
20 (1) Establish, operate and maintain a child care facility; (2) enter into  
21 cooperative or interlocal agreements with one or more other boards for the  
22 establishment, operation and maintenance of a child care facility; (3)  
23 contract with private, nonprofit corporations or associations or with any  
24 public or private agency or institution, whether located within or outside  
25 the state, for the establishment, operation and maintenance of a child care  
26 facility; and (4) prescribe and collect fees for providing care at a child care  
27 facility.

28 (b) Fees for providing care at a child care facility established under  
29 authority of this section shall be prescribed and collected only to recover  
30 the costs incurred as a result of and directly attributable to the  
31 establishment, operation and maintenance of the child care facility.  
32 Revenues from fees collected by a board under this section shall be  
33 deposited in the general fund of the school district and shall be considered  
34 reimbursements to the district for the purpose of the ~~classroom learning~~  
35 ~~assuring student success act~~, K.S.A. 2016 Supp. 72-6463 *Kansas school*  
36 *equity and enhancement act*, section 3 et seq., and amendments thereto,  
37 and may be expended whether the same have been budgeted or not and  
38 amounts so expended shall not be considered operating expenses.

39 (c) Every school district which establishes, operates and maintains a  
40 child care facility shall be subject to the provisions contained in article 5 of  
41 chapter 65 of Kansas Statutes Annotated, and amendments thereto.

42 (d) As used in this section, the term "child" means any child who is  
43 three years of age or older, and any infant or toddler whose parent or

1 parents are pupils or employees of a school district which establishes,  
2 operates and maintains, or cooperates in the establishment, operation and  
3 maintenance of, a child care facility under authority of this act.

4 Sec. 80. K.S.A. 2016 Supp. 72-8249 is hereby amended to read as  
5 follows: 72-8249. (a) There is hereby established in every school district a  
6 special reserve fund. Moneys in such fund shall be used to:

7 (1) Pay claims, judgments, expenses and other purposes relating to  
8 health care services, disability income benefits and group life insurance  
9 benefits as authorized by K.S.A. 72-8415a, and amendments thereto;

10 (2) pay costs relating to uninsured losses; and

11 (3) pay the cost of workers compensation insurance and workers  
12 compensation claims, awards, expenses and other purposes authorized by  
13 the workers compensation act.

14 ~~Moneys in such fund may be transferred to the general fund of the~~  
15 ~~school district as approved by the board of education.~~

16 (b) Any balance remaining in the special reserve fund at the end of  
17 the budget year shall be carried forward into that reserve fund for  
18 succeeding budget years. Such fund shall not be subject to the provisions  
19 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing  
20 the budget of such school district, the amounts credited to and the amount  
21 on hand in the special reserve fund, and the amount expended therefrom  
22 shall be included in the annual budget for the information of the residents  
23 of the school district. Interest earned on the investment of moneys in any  
24 such fund shall be credited to that fund.

25 Sec. 81. K.S.A. 2016 Supp. 72-8250 is hereby amended to read as  
26 follows: 72-8250. (a) There is hereby established in every school district a  
27 textbook and student materials revolving fund. Moneys in such fund shall  
28 be used to:

29 (1) Purchase any items designated in K.S.A. 72-5389, and  
30 amendments thereto;

31 (2) pay the cost of materials or other items used in curricular,  
32 extracurricular or other school-related activities; and

33 (3) purchase textbooks as authorized by K.S.A. 72-4141, and  
34 amendments thereto.

35 ~~Moneys in such fund may be transferred to the general fund of the~~  
36 ~~school district as approved by the board of education.~~

37 (b) Any balance remaining in the textbook and student materials  
38 revolving fund at the end of the budget year shall be carried forward into  
39 that fund for succeeding budget years. Such fund shall not be subject to the  
40 provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.  
41 In preparing the budget of such school district, the amounts credited to and  
42 the amount on hand in the textbook and student materials revolving fund,  
43 and the amount expended therefrom shall be included in the annual budget

1 for the information of the residents of the school district. ~~Interest earned on~~  
2 ~~the investment of moneys in any such fund shall be credited to that fund.~~

3 Sec. 82. K.S.A. 2016 Supp. 72-8251 is hereby amended to read as  
4 follows: 72-8251. Whenever a school district is required by law to make  
5 any payment during the month of June and there is insufficient revenue to  
6 make such payment as a result of the payment of state aid after the date  
7 prescribed by the state board of education pursuant to ~~K.S.A. 2016 Supp.~~  
8 ~~72-6466~~ *section 7*, and amendments thereto, the school district shall make  
9 such payment as soon as moneys are available.

10 Sec. 83. K.S.A. 2016 Supp. 72-8302 is hereby amended to read as  
11 follows: 72-8302. (a) The board of education of a school district may  
12 provide or furnish transportation for ~~pupils~~ *students* who are enrolled in  
13 the school district to or from any school of the school district or to or from  
14 any school of another school district attended by such ~~pupils~~ *students* in  
15 accordance with the provisions of an agreement entered into under  
16 authority of K.S.A. 72-8233, and amendments thereto.

17 (b) (1) When any or all of the conditions specified in this provision  
18 exist, the board of education of a school district shall provide or furnish  
19 transportation for ~~pupils~~ *students* who reside in the school district and who  
20 attend any school of the school district or who attend any school of another  
21 school district in accordance with the provisions of an agreement entered  
22 into under authority of K.S.A. 72-8233, and amendments thereto. The  
23 conditions which apply to the requirements of this provision are as  
24 follows:

25 (A) The residence of the ~~pupil~~ *student* is inside or outside the  
26 corporate limits of a city, the school building attended is outside the  
27 corporate limits of a city and the school building attended is more than 2½  
28 miles by the usually traveled road from the residence of the ~~pupil~~ *student*;  
29 or

30 (B) the residence of the ~~pupil~~ *student* is outside the corporate limits of  
31 a city, the school building attended is inside the corporate limits of a city  
32 and the school building attended is more than 2½ miles by the usually  
33 traveled road from the residence of the ~~pupil~~ *student*; or

34 (C) the residence of the ~~pupil~~ *student* is inside the corporate limits of  
35 one city, the school building attended is inside the corporate limits of a  
36 different city and the school building attended is more than 2½ miles by  
37 the usually traveled road from the residence of the ~~pupil~~ *student*.

38 (2) The provisions of this subsection are subject to the provisions of  
39 subsections (c) and (d).

40 (c) The board of education of every school district is authorized to  
41 adopt rules and regulations to govern the conduct, control and discipline of  
42 all ~~pupils~~ *students* while being transported in school buses. The board may  
43 suspend or revoke the transportation privilege or entitlement of any ~~pupil~~



1 *student* who violates any rules and regulations adopted by the board-under  
2 authority of this subsection.

3 (d) The board of education of every school district may suspend or  
4 revoke the transportation privilege or entitlement of any ~~pupil~~ *student* who  
5 is detained at school at the conclusion of the school day for violation of  
6 any rules and regulations governing ~~pupil~~ *student* conduct or for  
7 disobedience of an order of a teacher or other school authority. Suspension  
8 or revocation of the transportation privilege or entitlement of any ~~pupil~~  
9 *student* specified in this subsection shall be limited to the school day or  
10 days on which the ~~pupil~~ *student* is detained at school. The provisions of  
11 this subsection do not apply to any ~~pupil~~ *student* who has been determined  
12 to be an exceptional child, except gifted children, under the provisions of  
13 the special education for exceptional children act.

14 (e) (1) Subject to the limitations specified in this subsection, the  
15 board of education of any school district may prescribe and collect fees to  
16 offset, totally or in part, the costs incurred for the provision or furnishing  
17 of transportation for ~~pupils~~ *students*. The limitations which apply to the  
18 authorization granted by this subsection are as follows:

19 (A) Fees for the provision or furnishing of transportation for ~~pupils~~  
20 *students* shall be prescribed and collected only to recover the costs  
21 incurred as a result of and directly attributable to the provision or  
22 furnishing of transportation for ~~pupils~~ *students* and only to the extent that  
23 such costs are not reimbursed from any other source provided by law;

24 (B) fees for the provision or furnishing of transportation may not be  
25 assessed against or collected from any ~~pupil~~ *student who is counted in*  
26 *determining the transportation weighting of the school district under the*  
27 *Kansas school equity and enhancement act, section 3 et seq., and*  
28 *amendments thereto, or any student* who is determined to be a child with  
29 disabilities under the provisions of the special education for exceptional  
30 children act or any ~~pupil~~ *student* who is eligible for free or reduced price  
31 meals under the national school lunch act or any ~~pupil~~ *student* who is  
32 entitled to transportation under the provisions of K.S.A. 72-8306(a), and  
33 amendments thereto, and who resides 2½ miles or more by the regular  
34 route of a school bus from the school attended;

35 (C) fees for the provision or furnishing of transportation for ~~pupils~~  
36 *students* in accordance with the provisions of an agreement entered-into  
37 under authority of K.S.A. 72-8233 or 72-8307, and amendments thereto,  
38 shall be controlled by the provisions of the agreement.

39 (2) All moneys received by a school district from fees collected under  
40 this subsection shall be deposited in the general fund of the district.

41 Sec. 84. K.S.A. 2016 Supp. 72-8309 is hereby amended to read as  
42 follows: 72-8309. (a) The board of education of a school district shall not  
43 furnish or provide transportation for ~~pupils~~ *or* students who reside in

1 another school district except in accordance with the written consent of the  
 2 board of education of the school district in which such ~~pupil or~~ student  
 3 resides, or in accordance with an order issued by a board of education  
 4 under the provisions of K.S.A. 72-1046b, and amendments thereto, or in  
 5 accordance with the provisions of an agreement entered into under  
 6 authority of K.S.A. 72-8233, and amendments thereto.

7 (b) A school district may transport a nonresident ~~pupil or~~ student if  
 8 such ~~pupil or~~ student boards the school bus within the boundaries or on the  
 9 boundary of the transporting school district. To the extent that the  
 10 provisions of this subsection conflict with the provisions of subsection (a),  
 11 the provisions of subsection (a) shall control.

12 (c) *No student who is furnished or provided transportation by a*  
 13 *school district that is not the school district in which the student resides*  
 14 *shall be counted in the computation of the school district's transportation*  
 15 *weighting under the Kansas school equity and enhancement act, section 3*  
 16 *et seq., and amendments thereto.*

17 Sec. 85. K.S.A. 2016 Supp. 72-8316 is hereby amended to read as  
 18 follows: 72-8316. (a) Any board of education, pursuant to a policy  
 19 developed and adopted by it, may provide for the use of district-owned or  
 20 leased school buses when such buses are not being used for regularly  
 21 required school purposes. The policy may provide for:

22 (1) (A) Transporting parents and other adults to or from school-  
 23 related functions or activities; (B) transporting ~~pupils~~ *students* to or from  
 24 functions or activities sponsored by organizations, the membership of  
 25 which is principally composed of children of school age; and (C)  
 26 transporting persons engaged in field trips in connection with their  
 27 participation in an adult education program maintained by the transporting  
 28 school district or by any other school district, within or outside the  
 29 boundaries of the transporting school district; and

30 (2) contracting with: (A) The governing body of any township, city or  
 31 county for transportation of individuals, groups or organizations; (B) the  
 32 governing authority of any nonpublic school for transportation of ~~pupils~~  
 33 *students* attending such nonpublic school to or from interschool or  
 34 intraschool functions or activities; (C) the board of trustees of any  
 35 community college for transportation of students enrolled in such  
 36 community college to or from attendance at class at the community college  
 37 or to and from functions or activities of the community college; (D) a  
 38 public recreation commission established and operated under the laws of  
 39 this state, for any purposes related to the operation of the recreation  
 40 commission and all programs and services thereof; (E) the board of  
 41 education of any other school district for transportation, on a cooperative  
 42 and shared-cost basis, of ~~pupils~~ *students*, school personnel, parents and  
 43 other adults to or from school-related functions or activities; or (F) a four-

1 year college or university, area vocational school or area vocational-  
2 technical school for transportation of students to or from attendance at  
3 class at the four-year college or university, area vocational school or area  
4 vocational-technical school or for transportation of students, alumni and  
5 other members of the public to or from functions or activities of the four-  
6 year college or university, area vocational school or area vocational-  
7 technical school.

8 (b) *The costs related to the use of school buses under the authority of*  
9 *this section shall not be considered in determining the transportation*  
10 *weighting of a school district under the Kansas school equity and*  
11 *enhancement act, section 3 et seq., and amendments thereto.*

12 (b) (c) Transportation fees may be charged by the board to offset,  
13 totally or in part, the costs incurred for the use of school buses under  
14 authority of this section.

15 (e) (d) Any revenues received by a board of education as  
16 transportation fees or under any contract entered into pursuant to this  
17 section shall be deposited in the general fund of the school district and  
18 shall be considered reimbursements to the school district for the purpose of  
19 ~~the classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
20 ~~6463~~ *Kansas school equity and enhancement act, section 3 et seq., and*  
21 *amendments thereto. Such revenues may be expended whether the same*  
22 *have been budgeted or not.*

23 (d) (e) The provisions of K.S.A. 8-1556(c), and amendments thereto,  
24 apply to the use of school buses under authority of this section.

25 Sec. 86. K.S.A. 2016 Supp. 72-8415b is hereby amended to read as  
26 follows: 72-8415b. (a) Any school district that elects to become a self-  
27 insurer under the provisions of K.S.A. 72-8414, and amendments thereto,  
28 may transfer moneys from its general fund to the special reserve fund of  
29 the district as provided by ~~K.S.A. 2016 Supp. 72-6478~~ *section 42, and*  
30 *amendments thereto.*

31 (b) Any community college that elects to become a self-insurer under  
32 the provisions of K.S.A. 72-8414, and amendments thereto, may transfer  
33 such amounts from its general fund to the health care services reserve fund  
34 or the disability income benefits reserve fund, or the group life benefit  
35 reserve fund, or all three, as may be deemed necessary to meet the cost of  
36 health care services or disability income benefits, or group life insurance  
37 claims, whichever is applicable.

38 Sec. 87. K.S.A. 2016 Supp. 72-8801 is hereby amended to read as  
39 follows: 72-8801. (a) The board of education of any school district may  
40 make an annual tax levy at a mill rate not to exceed the statutorily  
41 prescribed mill rate upon the taxable tangible property in the school  
42 district for the purposes specified in this act and, *with respect to any*  
43 *redevelopment district established prior to July 1, 2017, pursuant to*

1 *K.S.A. 12-1771, and amendments thereto*, for the purpose of paying a  
 2 portion of the principal and interest on bonds issued by cities under the  
 3 authority of K.S.A. 12-1774, and amendments thereto, for the financing of  
 4 redevelopment projects upon property located within the school district.  
 5 No levy shall be made under this act until a resolution is adopted by the  
 6 board of education in the following form:

7 Unified School District No. \_\_\_\_\_,  
 8 \_\_\_\_\_ County, Kansas.

9 RESOLUTION

10 Be It Resolved that:

11 The above-named school board shall be authorized to make an annual  
 12 tax levy ~~for a period not to exceed \_\_\_\_\_ years~~ in an amount not to  
 13 exceed \_\_\_\_\_ mills upon the taxable tangible property in the school  
 14 district for the purpose of acquisition, construction, reconstruction, repair,  
 15 remodeling, additions to, furnishing, maintaining and equipping of school  
 16 district property and equipment necessary for school district purposes,  
 17 including: (1) ~~Acquisition of~~ Computer software; (2) ~~acquisition of~~  
 18 performance uniforms; (3) housing and boarding pupils enrolled in an area  
 19 vocational school operated under the board; (4) architectural expenses; (5)  
 20 ~~acquisition of~~ building sites; (6) undertaking and maintenance of asbestos  
 21 control projects; (7) ~~acquisition of~~ school buses; (8) *utility expenses*; (9)  
 22 *property and casualty insurance*; and (8) ~~acquisition of~~ (10) other fixed  
 23 assets, and *with respect to any redevelopment district established prior to*  
 24 *July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto*, for the  
 25 purpose of paying a portion of the principal and interest on bonds issued  
 26 by cities under the authority of K.S.A. 12-1774, and amendments thereto,  
 27 for the financing of redevelopment projects upon property located within  
 28 the school district. The tax levy authorized by this resolution may be made,  
 29 unless a petition in opposition to the same, signed by not less than 10% of  
 30 the qualified electors of the school district, is filed with the county election  
 31 officer of the home county of the school district within 40 calendar days  
 32 after the last publication of this resolution. In the event a petition is filed,  
 33 the county election officer shall submit the question of whether the tax  
 34 levy shall be authorized to the electors in the school district at an election  
 35 called for that purpose or at the next general election, as is specified by the  
 36 board of education of the above school district.

37 CERTIFICATE

38 This is to certify that the above resolution was duly adopted by the  
 39 board of education of Unified School District No. \_\_\_\_\_,  
 40 \_\_\_\_\_ County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

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

43 All of the blanks in the above resolution shall be appropriately filled.

1 The blank preceding the word "~~years~~" shall be filled with a specific  
2 ~~number, and the blank preceding the word "mills"~~ shall be filled with a  
3 specific number, ~~and no word shall be inserted in either of the blanks.~~ The  
4 resolution shall be published once a week for two consecutive weeks in a  
5 newspaper having general circulation in the school district. If no petition  
6 as specified above is filed in accordance with the provisions of the  
7 resolution, the board of education may make the tax levy specified in the  
8 resolution. If a petition is filed as provided in the resolution, the board of  
9 education may notify the county election officer of the date of an election  
10 to be held to submit the question of whether the tax levy shall be  
11 authorized. If the board of education fails to notify the county election  
12 officer within 60 calendar days after a petition is filed, the resolution shall  
13 be deemed abandoned and no like resolution shall be adopted by the board  
14 of education within the nine months following the first publication of the  
15 resolution.

16 (b) As used in this act:

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

22 (2) "statutorily prescribed mill rate" means: (A) ~~Eight Ten~~ mills; (B)  
23 the mill levy rate in excess of ~~eight~~ 10 mills if the resolution fixing such  
24 rate was approved at an election prior to the effective date of this act; or  
25 (C) the mill levy rate in excess of ~~eight~~ 10 mills if no petition or no  
26 sufficient petition was filed in protest to a resolution fixing such rate in  
27 excess of ~~eight~~ 10 mills and the protest period for filing such petition has  
28 expired;

29 (3) "asbestos control project" means any activity which is necessary  
30 or incidental to the control of asbestos-containing material in buildings of  
31 school districts and includes, but not by way of limitation, any activity  
32 undertaken for the removal or encapsulation of asbestos-containing  
33 material, for any remodeling, renovation, replacement, rehabilitation or  
34 other restoration necessitated by such removal or encapsulation, for  
35 conducting inspections, reinspections and periodic surveillance of  
36 buildings, performing response actions, and developing, implementing and  
37 updating operations and maintenance programs and management plans;

38 (4) "asbestos" means the asbestiform varieties of chrysotile  
39 (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite),  
40 anthophyllite, tremolite, and actinolite; and

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

43 Sec. 88. K.S.A. 72-8803 is hereby amended to read as follows: 72-

1 8803. There is hereby established in every school district of the state a  
2 fund which shall be called the capital outlay fund. The capital outlay fund  
3 shall consist of all moneys deposited therein or transferred thereto in  
4 accordance with law. The proceeds of any tax levied under article 88 of  
5 chapter 72 of Kansas Statutes Annotated, *and amendments thereto, shall*  
6 *be deposited in the capital outlay fund of the school district making such*  
7 *levy*, except for an amount to pay a portion of the principal and interest on  
8 bonds issued by cities under the authority of K.S.A. 12-1774, and  
9 amendments thereto, for the financing of redevelopment projects upon  
10 property located within the school district, ~~shall be deposited in the capital~~  
11 ~~outlay fund of the school district making such levy with respect to any~~  
12 ~~redevelopment district established prior to July 1, 2017, pursuant to K.S.A.~~  
13 ~~12-1771, and amendments thereto.~~

14 Sec. 89. K.S.A. 2016 Supp. 72-8804 is hereby amended to read as  
15 follows: 72-8804. (a) Any moneys in the capital outlay fund of any school  
16 district and any moneys received from issuance of bonds under K.S.A. 72-  
17 8805 or 72-8810, and amendments thereto, may be used for the purpose of  
18 the acquisition, construction, reconstruction, repair, remodeling, additions  
19 to, furnishing, maintaining and equipping of school district property and  
20 equipment necessary for school district purposes, including: (1)  
21 ~~Acquisition of Computer software; (2) acquisition of performance~~  
22 ~~uniforms; (3) housing and boarding pupils enrolled in an area vocational~~  
23 ~~school operated under the board of education; (4) architectural expenses;~~  
24 ~~(5) acquisition of building sites; (6) undertaking and maintenance of~~  
25 ~~asbestos control projects; (7) acquisition of school buses; (8) utility~~  
26 ~~expenses; (9) property and casualty insurance; and (8) acquisition of (10)~~  
27 ~~other fixed assets, and, for school years 2015-2016 and 2016-2017, subject~~  
28 ~~to the provisions of K.S.A. 2016 Supp. 72-6478, and amendments thereto,~~  
29 ~~may be transferred to the general fund of the school district as approved by~~  
30 ~~the board of education.~~

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

40 Sec. 90. K.S.A. 2016 Supp. 72-8908 is hereby amended to read as  
41 follows: 72-8908. As used in this act:

- 42 (a) "Juvenile" means a person who is less than 18 years of age;  
43 (b) "adult" means a person who is 18 years of age or older;

1 (c) "felony" means any crime designated a felony by the laws of  
2 Kansas or the United States;

3 (d) "misdemeanor" means any crime designated a misdemeanor by  
4 the laws of Kansas or the United States;

5 (e) "school day" means any day on which school is maintained;

6 (f) "school year" has the meaning ascribed thereto in ~~K.S.A. 2016-~~  
7 ~~Supp. 72-6464 section 4~~, and amendments thereto;

8 (g) "counsel" means any person a pupil selects to represent and  
9 advise the pupil at all proceedings conducted pursuant to the provisions of  
10 this act; and

11 (h) "principal witness" means any witness whose testimony is of  
12 major importance in support of the charges upon which a proposed  
13 suspension or expulsion from school is based, or in determination of  
14 material questions of fact.

15 Sec. 91. K.S.A. 2016 Supp. 72-9509 is hereby amended to read as  
16 follows: 72-9509. (a) There is hereby established in every school district a  
17 fund which shall be called the bilingual education fund, which fund shall  
18 consist of all moneys deposited therein or transferred thereto according to  
19 law. ~~Amounts deposited in the bilingual education fund may be used for~~  
20 ~~the payment of expenses directly attributable to bilingual education or may~~  
21 ~~be transferred to the general fund of the school district as approved by the~~  
22 ~~board of education. The expenses of a school district directly attributable~~  
23 ~~to such bilingual education programs shall be paid from the bilingual~~  
24 ~~education fund. Moneys deposited in or otherwise transferred to the~~  
25 ~~bilingual education fund shall only be expended for those costs directly~~  
26 ~~attributable to the provision of bilingual education programs.~~

27 (b) Any balance remaining in the bilingual education fund at the end  
28 of the budget year shall be carried forward into the bilingual education  
29 fund for succeeding budget years. Such fund shall not be subject to the  
30 provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.  
31 In preparing the budget of such school district, the amounts credited to and  
32 the amount on hand in the bilingual education fund, and the amount  
33 expended therefrom shall be included in the annual budget for the  
34 information of the residents of the school district. ~~Interest earned on the~~  
35 ~~investment of moneys in any such fund shall be credited to that fund.~~

36 (c) Each year the board of education of each school district shall  
37 prepare and submit to the state board a report on the bilingual education  
38 program and assistance provided by the district. Such report shall include  
39 information specifying the number of pupils who were served or provided  
40 assistance, the type of service provided, the research upon which the  
41 district relied in determining that a need for service or assistance existed,  
42 the results of providing such service or assistance and any other  
43 information required by the state board.

1       Sec. 92. K.S.A. 2016 Supp. 72-9609 is hereby amended to read as  
2 follows: 72-9609. There is hereby established in every school district a  
3 fund which shall be called the professional development fund, which fund  
4 shall consist of all moneys deposited therein or transferred thereto  
5 according to law. All moneys received by the school district from whatever  
6 source for professional development programs established under this act  
7 shall be credited to the fund established by this section. ~~Amounts deposited~~  
8 ~~in the professional development fund may be used for the payment of~~  
9 ~~expenses directly attributable to professional development or may be~~  
10 ~~transferred to the general fund of the school district as approved by the~~  
11 ~~board of education~~ *The expenses of a school district directly attributable*  
12 *to professional development programs shall be paid from the professional*  
13 *development fund.*

14       Sec. 93. K.S.A. 2016 Supp. 72-99a02 is hereby amended to read as  
15 follows: 72-99a02. As used in the tax credit for low income students  
16 scholarship program act:

17       (a) "Contributions" means monetary gifts or donations and in-kind  
18 contributions, gifts or donations that have an established market value.

19       (b) "Department" means the Kansas department of revenue.

20       (c) "Educational scholarship" means an amount not to exceed \$8,000  
21 per school year provided to an eligible student, or to a qualified school  
22 with respect to an eligible student, to cover all or a portion of the costs of  
23 education including tuition, fees and expenses of a qualified school and, if  
24 applicable, the costs of transportation to a qualified school if provided by  
25 such qualified school.

26       (d) "Eligible student" means a child who:

27       (1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407,  
28 prior to its repeal, and who is attending a public school; or (B) has been  
29 eligible to receive an educational scholarship under this program and has  
30 not graduated from high school or reached 21 years of age;

31       (2) resides in Kansas while eligible for an educational scholarship;  
32 and

33       (3) (A) was enrolled in any public school in the previous school year  
34 in which an educational scholarship is first sought for the child; or (B) is  
35 eligible to be enrolled in any public school in the school year in which an  
36 educational scholarship is first sought for the child and the child is under  
37 the age of six years.

38       (e) "Parent" includes a guardian, custodian or other person with  
39 authority to act on behalf of the child.

40       (f) "Program" means the tax credit for low income students  
41 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through  
42 72-99a07, and amendments thereto.

43       (g) "Public school" means a school that would qualify as either a title



1 I focus school or a title I priority school as described by the state board  
 2 under the elementary and secondary education act flexibility waiver as  
 3 amended in January 2013 and is operated by a school district.

4 (h) "Qualified school" means any nonpublic school that provides  
 5 education to elementary or secondary students, has notified the state board  
 6 of its intention to participate in the program and complies with the  
 7 requirements of the program.

8 (i) "Scholarship granting organization" means an organization that  
 9 complies with the requirements of this program and provides educational  
 10 scholarships to eligible students or to qualified schools in which parents  
 11 have enrolled eligible students.

12 (j) "School district" or "district" means any unified school district  
 13 organized and operating under the laws of this state.

14 (k) "School year" shall have the meaning ascribed thereto in ~~K.S.A.~~  
 15 ~~2016 Supp. 72-6464 section 4~~, and amendments thereto.

16 (l) "Secretary" means the secretary of revenue.

17 (m) "State board" means the state board of education.

18 Sec. 94. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as  
 19 amended by section 92 of this act, is hereby amended to read as follows:  
 20 72-99a02. As used in the tax credit for low income students scholarship  
 21 program act:

22 (a) "Contributions" means monetary gifts or donations and in-kind  
 23 contributions, gifts or donations that have an established market value.

24 (b) "Department" means the Kansas department of revenue.

25 (c) "Educational scholarship" means an amount not to exceed \$8,000  
 26 per school year provided to an eligible student, or to a qualified school  
 27 with respect to an eligible student, to cover all or a portion of the costs of  
 28 education including tuition, fees and expenses of a qualified school and, if  
 29 applicable, the costs of transportation to a qualified school if provided by  
 30 such qualified school.

31 (d) "Eligible student" means a child who:

32 (1) ~~(A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407,~~  
 33 ~~prior to its repeal. Is an at-risk student, as defined in section 4, and~~  
 34 ~~amendments thereto, and who is attending a public school; or (B) has been~~  
 35 ~~eligible to receive an educational scholarship under this program and has~~  
 36 ~~not graduated from high school or reached 21 years of age;~~

37 (2) resides in Kansas while eligible for an educational scholarship;  
 38 and

39 (3) (A) was enrolled in any public school in the previous school year  
 40 in which an educational scholarship is first sought for the child; or (B) is  
 41 eligible to be enrolled in any public school in the school year in which an  
 42 educational scholarship is first sought for the child and the child is under  
 43 the age of six years.

1 (e) "Parent" includes a guardian, custodian or other person with  
2 authority to act on behalf of the child.

3 (f) "Program" means the tax credit for low income students  
4 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through  
5 72-99a07, and amendments thereto.

6 (g) "Public school" means a school that ~~would qualify as either a title~~  
7 ~~I-focus school or a title I priority school as described by the state board~~  
8 ~~under the elementary and secondary education act flexibility waiver as~~  
9 ~~amended in January 2013 and is operated by a school district, and~~  
10 *identified by the state board as one of the lowest 100 performing schools*  
11 *with respect to student achievement among all schools operated by school*  
12 *districts for the current school year.*

13 (h) "Qualified school" means ~~any nonpublic school that provides~~  
14 ~~education to elementary or secondary students, has notified the state board~~  
15 ~~of its intention to participate in the program and complies with the~~  
16 ~~requirements of the program:~~

17 (1) *A nonpublic school that does not offer any of the grades nine*  
18 *through 12, and is accredited by the state board;*

19 (2) *a nonpublic school that offers any of the grades nine through 12,*  
20 *and:*

21 (A) *Whose postsecondary effective rate exceeds the trend line for*  
22 *such rate among all school districts and accredited nonpublic schools as*  
23 *determined by the state board; or*

24 (B) *whose composite ACT score exceeds the statewide average*  
25 *composite ACT score for all school districts and accredited nonpublic*  
26 *schools; or*

27 (3) *a nonpublic school that was a participating qualified school at*  
28 *any time prior to July 1, 2017, or that has been a qualified school*  
29 *participating in the program in any preceding school year. Each qualified*  
30 *school shall provide education to elementary or secondary students, notify*  
31 *the state board of its intention to participate in the program and comply*  
32 *with the requirements of the program.*

33 (i) "Scholarship granting organization" means an organization that  
34 complies with the requirements of this program and provides educational  
35 scholarships to eligible students or to qualified schools in which parents  
36 have enrolled eligible students.

37 (j) "School district" or "district" means any unified school district  
38 organized and operating under the laws of this state.

39 (k) "School year" shall have the meaning ascribed thereto in section  
40 4, and amendments thereto.

41 (l) "Secretary" means the secretary of revenue.

42 (m) "State board" means the state board of education.

43 Sec. 95. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a04 is

1 hereby amended to read as follows: 72-99a04. (a) To be eligible to  
2 participate in the program, a scholarship granting organization shall  
3 comply with the following:

4 (1) The scholarship granting organization shall notify the secretary  
5 and the state board of the scholarship granting organization's intent to  
6 provide educational scholarships;

7 (2) upon granting an educational scholarship, the scholarship granting  
8 organization shall report such information to the state board;

9 (3) the scholarship granting organization shall provide verification to  
10 the secretary that the scholarship granting organization is exempt from  
11 federal income taxation pursuant to section 501(c)(3) of the federal  
12 internal revenue code of 1986;

13 (4) upon receipt of contributions in an aggregate amount or value in  
14 excess of \$50,000 during a school year, a scholarship granting  
15 organization shall file with the state board either:

16 (A) A surety bond payable to the state in an amount equal to the  
17 aggregate amount of contributions expected to be received during the  
18 school year; or

19 (B) financial information demonstrating the scholarship granting  
20 organization's ability to pay an aggregate amount equal to the amount of  
21 the contributions expected to be received during the school year, which  
22 must be reviewed and approved of in writing by the state board;

23 (5) scholarship granting organizations that provide other nonprofit  
24 services in addition to providing educational scholarships shall not  
25 commingle contributions made under the program with other contributions  
26 made to such organization. A scholarship granting organization under this  
27 subsection shall also file with the state board, prior to the commencement  
28 of each school year, either:

29 (A) A surety bond payable to the state in an amount equal to the  
30 aggregate amount of contributions expected to be received during the  
31 school year; or

32 (B) financial information demonstrating the nonprofit organization's  
33 ability to pay an aggregate amount equal to the amount of the  
34 contributions expected to be received during the school year, which must  
35 be reviewed and approved of in writing by the state board;

36 (6) each qualified school receiving educational scholarships from the  
37 scholarship granting organization shall annually certify to the scholarship  
38 granting organization its compliance with the requirements of the program;

39 (7) at the end of the calendar year, the scholarship granting  
40 organization shall have its accounts examined and audited by a certified  
41 public accountant. Such audit shall include, but not be limited to,  
42 information verifying that the educational scholarships awarded by the  
43 scholarship granting organization were distributed to qualified schools

1 with respect to eligible students determined by the state board under  
2 K.S.A. 2016 Supp. 72-99a03(c), and amendments thereto, and information  
3 specified in this section. Prior to filing a copy of the audit with the state  
4 board, such audit shall be duly verified and certified by a certified public  
5 accountant; and

6 (8) if a scholarship granting organization decides to limit the number  
7 or type of qualified schools who will receive educational scholarships, the  
8 scholarship granting organization shall provide, in writing, the name or  
9 names of those qualified schools to any contributor and the state board.

10 (b) *A scholarship granting organization shall award at least 50% of*  
11 *all education scholarships in a school year to eligible students who are*  
12 *certified by the department for children and families as a member of a*  
13 *family whose household income does not exceed 130% of the federal*  
14 *poverty level established under the most recent poverty income guidelines*  
15 *published in the calendar year by the United States department of health*  
16 *and human services.*

17 ~~(b)~~ (c) No scholarship granting organization shall provide an  
18 educational scholarship with respect to any eligible student to attend any  
19 qualified school with paid staff or paid board members, or relatives  
20 thereof, in common with the scholarship granting organization.

21 ~~(c)~~ (d) The scholarship granting organization shall disburse not less  
22 than 90% of contributions received pursuant to the program in the form of  
23 educational scholarships within 36 months of receipt of such contributions.  
24 If such contributions have not been disbursed within the applicable 36-  
25 month time period, then the scholarship granting organization shall not  
26 accept new contributions until 90% of the received contributions have  
27 been disbursed in the form of educational scholarships. Any income earned  
28 from contributions must be disbursed in the form of educational  
29 scholarships.

30 ~~(d)~~ (e) A scholarship granting organization may continue to provide  
31 an educational scholarship with respect to a student who was an eligible  
32 student in the year immediately preceding the current school year.

33 ~~(e)~~ (f) A scholarship granting organization shall direct payments of  
34 educational scholarships to the qualified school attended by the eligible  
35 student or in which the eligible student is enrolled. Payment may be made  
36 by check made payable to both the parent and the qualified school or to  
37 only the qualified school. If an eligible student transfers to a new qualified  
38 school during a school year, the scholarship granting organization shall  
39 direct payment in a prorated amount to the original qualified school and  
40 the new qualified school based on the eligible student's attendance. If the  
41 eligible student transfers to a public school and enrolls in such public  
42 school after September 20 of the current school year, the scholarship  
43 granting organization shall direct payment in a prorated amount to the

1 original qualified school and the public school based on the eligible  
 2 student's attendance. The prorated amount to the public school shall be  
 3 considered a donation and shall be paid to the school district of such public  
 4 school in accordance with K.S.A. 72-8210, and amendments thereto.

5 ~~(f)~~ (g) By June 1 of each year, a scholarship granting organization  
 6 shall submit a report to the state board for the educational scholarships  
 7 provided in the immediately preceding 12 months. Such report shall be in  
 8 a form and manner as prescribed by the state board, approved and signed  
 9 by a certified public accountant, and shall contain the following  
 10 information:

11 (1) The name and address of the scholarship granting organization;

12 (2) the name and address of each eligible student with respect to  
 13 whom an educational scholarship was awarded by the scholarship granting  
 14 organization;

15 (3) the total number and total dollar amount of contributions received  
 16 during the 12-month reporting period; and

17 (4) the total number and total dollar amount of educational  
 18 scholarships awarded during the 12-month reporting period and the total  
 19 number and total dollar amount of educational scholarships awarded  
 20 during the 12-month reporting period with respect to eligible students who  
 21 qualified under K.S.A. 2016 Supp. 72-99a02(d), and amendments thereto.

22 ~~(g)~~ (h) No scholarship granting organization shall:

23 (1) Provide an educational scholarship with respect to an eligible  
 24 student that is established by funding from any contributions made by any  
 25 relative of such eligible student; or

26 (2) accept a contribution from any source with the express or implied  
 27 condition that such contribution be directed toward an educational  
 28 scholarship for a particular eligible student.

29 Sec. 96. K.S.A. 2016 Supp. 74-4939a is hereby amended to read as  
 30 follows: 74-4939a. On and after the effective date of this act for each fiscal  
 31 year commencing with fiscal year 2005, notwithstanding the provisions of  
 32 K.S.A. 74-4939, and amendments thereto, or any other statute, all moneys  
 33 appropriated for the department of education from the state general fund  
 34 commencing with fiscal year 2005, and each ensuing fiscal year thereafter,  
 35 by appropriation act of the legislature, in the KPERS — employer  
 36 contributions account and all moneys appropriated for the department of  
 37 education from the state general fund or any special revenue fund for each  
 38 fiscal year commencing with fiscal year 2005, and each ensuing fiscal year  
 39 thereafter, by any such appropriation act in that account or any other  
 40 account for payment of employer contributions for school districts, shall  
 41 be distributed by the department of education to school districts in  
 42 accordance with this section. Notwithstanding the provisions of K.S.A. 74-  
 43 4939, and amendments thereto, ~~for school year 2015-2016,~~ the department

1 of education shall disburse to each school district that is an eligible  
2 employer as specified in K.S.A. 74-4931(1), and amendments thereto, an  
3 amount ~~in accordance with K.S.A. 2016 Supp. 72-6465(a)(6), and~~  
4 ~~amendments thereto, which shall be disbursed pursuant to K.S.A. 2016~~  
5 ~~Supp. 72-6465, and amendments thereto. Notwithstanding the provisions~~  
6 ~~of K.S.A. 74-4939, and amendments thereto, for school year 2016-2017,~~  
7 ~~the department of education shall disburse to each school district that is an~~  
8 ~~eligible employer as specified in K.S.A. 74-4931(1), and amendments~~  
9 ~~thereto, an amount in accordance with K.S.A. 2016 Supp. 72-6465(b)(4),~~  
10 ~~and amendments thereto, which shall be disbursed pursuant to K.S.A.~~  
11 ~~2016 Supp. 72-6465, and amendments thereto certified by the board of~~  
12 ~~trustees of the Kansas public employees retirement system that is equal to~~  
13 ~~the participating employer's obligation of such school district to the~~  
14 ~~system in accordance with policies and procedures that are hereby~~  
15 ~~authorized and directed to be adopted by the state board of education for~~  
16 ~~the purposes of this section and in accordance with any requirements~~  
17 ~~prescribed by the board of trustees of the Kansas public employees~~  
18 ~~retirement system. Upon receipt of each such disbursement of moneys, the~~  
19 ~~school district shall deposit the entire amount thereof into a special~~  
20 ~~retirement contributions fund of the school district, which shall be~~  
21 ~~established by the school district in accordance with such policies and~~  
22 ~~procedures and which shall be used for the sole purpose of receiving such~~  
23 ~~disbursements from the department of education and making the~~  
24 ~~remittances to the system in accordance with this section and such policies~~  
25 ~~and procedures. Upon receipt of each such disbursement of moneys from~~  
26 ~~the department of education, the school district shall remit, in accordance~~  
27 ~~with the provisions of such policies and procedures and in the manner and~~  
28 ~~on the date or dates prescribed by the board of trustees of the Kansas~~  
29 ~~public employees retirement system, an equal amount to the Kansas public~~  
30 ~~employees retirement system from the special retirement contributions~~  
31 ~~fund of the school district to satisfy such school district's obligation as a~~  
32 ~~participating employer. Notwithstanding the provisions of K.S.A. 74-4939,~~  
33 ~~and amendments thereto, each school district that is an eligible employer~~  
34 ~~as specified in K.S.A. 74-4931(1), and amendments thereto, shall show~~  
35 ~~within the budget of such school district all amounts received from~~  
36 ~~disbursements into the special retirement contributions fund of such school~~  
37 ~~district. Notwithstanding the provisions of any other statute, no official~~  
38 ~~action of the school board of such school district shall be required to~~  
39 ~~approve a remittance to the system in accordance with this section and~~  
40 ~~such policies and procedures. All remittances of moneys to the system by a~~  
41 ~~school district in accordance with this subsection and such policies and~~  
42 ~~procedures shall be deemed to be expenditures of the school district.~~

43 Sec. 97. K.S.A. 2016 Supp. 74-8925 is hereby amended to read as

1 follows: 74-8925. (a) For the purposes of this act, the term "taxing  
2 subdivision" shall include the county, the city, the unified school district  
3 and any other taxing subdivision levying real property taxes, the territory  
4 or jurisdiction of which includes any currently existing or subsequently  
5 created redevelopment district. The term "real property taxes" includes all  
6 taxes levied on an ad valorem basis upon land and improvements thereon,  
7 other than the property tax levied pursuant to the provisions of ~~K.S.A.~~  
8 ~~2016 Supp. 72-6470~~ section 14, and amendments thereto, or any other  
9 property tax levied by or on behalf of a school district.

10 (b) All tangible taxable property located within a redevelopment  
11 district shall be assessed and taxed for ad valorem tax purposes pursuant to  
12 law in the same manner that such property would be assessed and taxed if  
13 located outside such district, and all ad valorem taxes levied on such  
14 property shall be paid to and collected by the county treasurer in the same  
15 manner as other taxes are paid and collected. Except as otherwise provided  
16 in this section, the county treasurer shall distribute such taxes as may be  
17 collected in the same manner as if such property were located outside a  
18 redevelopment district. Each redevelopment district established under the  
19 provisions of this act shall constitute a separate taxing unit for the purpose  
20 of the computation and levy of taxes.

21 (c) Beginning with the first payment of taxes which are levied  
22 following the date of approval of any redevelopment district established  
23 pursuant to K.S.A. 74-8921, and amendments thereto, real property taxes  
24 received by the county treasurer resulting from taxes which are levied  
25 subject to the provisions of this act by and for the benefit of a taxing  
26 subdivision, as herein defined, on property located within such  
27 redevelopment district constituting a separate taxing unit under the  
28 provisions of this section, shall be divided as follows:

29 (1) From the taxes levied each year subject to the provisions of this  
30 act by or for each of the taxing subdivisions upon property located within a  
31 redevelopment district constituting a separate taxing unit under the  
32 provisions of this act, the county treasurer first shall allocate and pay to  
33 each such taxing subdivision all of the real property taxes collected which  
34 are produced from that portion of the current assessed valuation of such  
35 real property located within such separate taxing unit which is equal to the  
36 total assessed value of such real property on the date of the establishment  
37 of the redevelopment district.

38 (2) Any real property taxes produced from that portion of the current  
39 assessed valuation of real property within the redevelopment district  
40 constituting a separate taxing unit under the provisions of this section in  
41 excess of an amount equal to the total assessed value of such real property  
42 on the effective date of the establishment of the district shall be allocated  
43 and paid by the county treasurer according to specified percentages of the

1 tax increment expressly agreed upon and consented to by the governing  
2 bodies of the county and school district in which the redevelopment  
3 district is located. The amount of the real property taxes allocated and  
4 payable to the authority under the agreement shall be paid by the county  
5 treasurer to the treasurer of the state. The remaining amount of the real  
6 property taxes not payable to the authority shall be allocated and paid in  
7 the same manner as other ad valorem taxes. Any real property taxes paid to  
8 the state treasurer under this section shall be deposited in the  
9 redevelopment bond finance fund of the authority which is created  
10 pursuant to K.S.A. 74-8927, and amendments thereto, to pay the costs of  
11 any approved redevelopment project, including the payment of principal of  
12 and interest on any bonds issued by the authority to finance, in whole or in  
13 part, such project. When such bonds and interest thereon have been paid,  
14 all moneys thereafter received from real property taxes within such  
15 redevelopment district shall be allocated and paid to the respective taxing  
16 subdivisions in the same manner as are other ad valorem taxes. If such  
17 bonds and interest thereon have been paid before the completion of a  
18 project, the authority may continue to use such moneys for any purpose  
19 authorized by the redevelopment agreement until such time as the project  
20 costs are paid or reimbursed, but for a period not to exceed the final  
21 scheduled maturity of the bonds.

22 (d) In any redevelopment plan or in the proceedings for the issuing of  
23 any bonds by the authority to finance a project, the property tax increment  
24 portion of taxes provided for in subsection (c)(2) may be irrevocably  
25 pledged for the payment of the principal of and interest on such bonds. The  
26 authority may adopt a redevelopment plan in which only a specified  
27 percentage of the tax increment realized from taxpayers in the  
28 redevelopment district is pledged to the payment of costs.

29 Sec. 98. K.S.A. 2016 Supp. 74-99b43 is hereby amended to read as  
30 follows: 74-99b43. (a) The Kansas development finance authority is  
31 hereby authorized to issue special obligation bonds pursuant to K.S.A. 74-  
32 8901 et seq., and amendments thereto, in one or more series to finance the  
33 undertaking of any bioscience development project in accordance with the  
34 provisions of this act. No special obligation bonds may be issued pursuant  
35 to this section unless the Kansas development finance authority has  
36 received a resolution of the board of the authority requesting the issuance  
37 of such bonds. Such special obligation bonds shall be made payable, both  
38 as to principal and interest from one or more of the following, as directed  
39 by the authority:

40 (1) From ad valorem tax increments allocated to, and paid into the  
41 bioscience development bond fund for the payment of the project costs of  
42 a bioscience development project under the provisions of this section;

43 (2) from any private sources, contributions or other financial



1 assistance from the state or federal government;

2 (3) from a pledge of a portion or all of the revenue received from  
3 transient guest, sales and use taxes collected pursuant to K.S.A. 12-1696 et  
4 seq., 79-3601 et seq., 79-3701 et seq. and 12-187 et seq., and amendments  
5 thereto, and which are collected from taxpayers doing business within that  
6 portion of the bioscience development district and paid into the bioscience  
7 development bond fund;

8 (4) from a pledge of a portion or all increased revenue received by  
9 any city from franchise fees collected from utilities and other businesses  
10 using public right-of-way within the bioscience development district; or

11 (5) by any combination of these methods.

12 (b) All tangible taxable property located within a bioscience  
13 development district shall be assessed and taxed for ad valorem tax  
14 purposes pursuant to law in the same manner that such property would be  
15 assessed and taxed if located outside such district, and all ad valorem taxes  
16 levied on such property shall be paid to and collected by the county  
17 treasurer in the same manner as other taxes are paid and collected. Except  
18 as otherwise provided in this section, the county treasurer shall distribute  
19 such taxes as may be collected in the same manner as if such property  
20 were located outside a bioscience development district. Each bioscience  
21 development district established under the provisions of this act shall  
22 constitute a separate taxing unit for the purpose of the computation and  
23 levy of taxes.

24 (c) Beginning with the first payment of taxes which are levied  
25 following the date of the establishment of the bioscience development  
26 district real property taxes received by the county treasurer resulting from  
27 taxes which are levied subject to the provisions of this act by and for the  
28 benefit of a taxing subdivision, as defined in K.S.A. 2016 Supp. 12-1770a,  
29 and amendments thereto, on property located within such bioscience  
30 development district constituting a separate taxing unit under the  
31 provisions of this section, shall be divided as follows:

32 (1) From the taxes levied each year subject to the provisions of this  
33 act by or for each of the taxing subdivisions upon property located within a  
34 bioscience development district constituting a separate taxing unit under  
35 the provisions of this act, the county treasurer first shall allocate and pay to  
36 each such taxing subdivision all of the real property taxes collected which  
37 are produced from the base year assessed valuation.

38 (2) Any real property taxes, except for property taxes levied for  
39 schools pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and  
40 amendments thereto, produced from that portion of the current assessed  
41 valuation of real property within the bioscience development district  
42 constituting a separate taxing unit under the provisions of this section in  
43 excess of the base year assessed valuation shall be allocated and paid by

1 the county treasurer to the bioscience development bond fund to pay the  
2 bioscience development project costs including the payment of principal  
3 and interest on any special obligation bonds to finance, in whole or in part,  
4 such bioscience development projects.

5 (d) The authority may pledge the bioscience development bond fund  
6 or other available revenue to the repayment of such special obligation  
7 bonds prior to, simultaneously with, or subsequent to the issuance of such  
8 special obligation bonds.

9 (e) Any bonds issued under the provisions of this act and the interest  
10 paid thereon, unless specifically declared to be taxable in the authorizing  
11 resolution of the Kansas development finance authority, shall be exempt  
12 from all state, county and municipal taxes, and the exemption shall include  
13 income, estate and property taxes.

14 Sec. 99. K.S.A. 2016 Supp. 75-2319 is hereby amended to read as  
15 follows: 75-2319. (a) There is hereby established in the state treasury the  
16 school district capital improvements fund. The fund shall consist of all  
17 amounts transferred thereto under the provisions of subsection (c).

18 (b) In each school year, each school district which is obligated to  
19 make payments from its capital improvements fund shall be entitled to  
20 receive payment from the school district capital improvements fund in an  
21 amount determined by the state board of education as provided in this  
22 subsection.

23 (1) For general obligation bonds approved for issuance at an election  
24 held prior to July 1, 2015, the state board of education shall:

25 (A) Determine the amount of the assessed valuation per pupil (AVPP)  
26 of each school district in the state *for the preceding school year* and round  
27 such amount to the nearest \$1,000. The rounded amount is the AVPP of a  
28 school district for the purposes of this subsection (b)(1);

29 (B) determine the median AVPP of all school districts;

30 (C) prepare a schedule of dollar amounts using the amount of the  
31 median AVPP of all school districts as the point of beginning. The  
32 schedule of dollar amounts shall range upward in equal \$1,000 intervals  
33 from the point of beginning to and including an amount that is equal to the  
34 amount of the AVPP of the school district with the highest AVPP of all  
35 school districts and shall range downward in equal \$1,000 intervals from  
36 the point of beginning to and including an amount that is equal to the  
37 amount of the AVPP of the school district with the lowest AVPP of all  
38 school districts;

39 (D) determine a state aid percentage factor for each school district by  
40 assigning a state aid computation percentage to the amount of the median  
41 AVPP shown on the schedule, decreasing the state aid computation  
42 percentage assigned to the amount of the median AVPP by one percentage  
43 point for each \$1,000 interval above the amount of the median AVPP, and

1 increasing the state aid computation percentage assigned to the amount of  
2 the median AVPP by one percentage point for each \$1,000 interval below  
3 the amount of the median AVPP. Except as provided by K.S.A. 2016 Supp.  
4 75-2319c, and amendments thereto, the state aid percentage factor of a  
5 school district is the percentage assigned to the schedule amount that is  
6 equal to the amount of the AVPP of the school district. The state aid  
7 percentage factor of a school district shall not exceed 100%. The state aid  
8 computation percentage is 25%;

9 (E) determine the amount of payments that a school district is  
10 obligated to make from its bond and interest fund attributable to general  
11 obligation bonds approved for issuance at an election held prior to July 1,  
12 2015; and

13 (F) multiply the amount determined under subsection (b)(1)(E) by the  
14 applicable state aid percentage factor.

15 (2) For general obligation bonds approved for issuance at an election  
16 held on or after July 1, 2015, the state board of education shall:

17 (A) Determine the amount of the AVPP of each school district in the  
18 state *for the preceding school year* and round such amount to the nearest  
19 \$1,000. The rounded amount is the AVPP of a school district for the  
20 purposes of this subsection (b)(2);

21 (B) prepare a schedule of dollar amounts using the amount of the  
22 AVPP of the school district with the lowest AVPP of all school districts as  
23 the point of beginning. The schedule of dollar amounts shall range upward  
24 in equal \$1,000 intervals from the point of beginning to and including an  
25 amount that is equal to the amount of the AVPP of the school district with  
26 the highest AVPP of all school districts;

27 (C) determine a state aid percentage factor for each school district by  
28 assigning a state aid computation percentage to the amount of the lowest  
29 AVPP shown on the schedule and decreasing the state aid computation  
30 percentage assigned to the amount of the lowest AVPP by one percentage  
31 point for each \$1,000 interval above the amount of the lowest AVPP.  
32 Except as provided by K.S.A. 2016 Supp. 75-2319c, and amendments  
33 thereto, the state aid percentage factor of a school district is the percentage  
34 assigned to the schedule amount that is equal to the amount of the AVPP of  
35 the school district. The state aid computation percentage is 75%;

36 (D) determine the amount of payments that a school district is  
37 obligated to make from its bond and interest fund attributable to general  
38 obligation bonds approved for issuance at an election held on or after July  
39 1, 2015; and

40 (E) multiply the amount determined under subsection (b)(2)(D) by  
41 the applicable state aid percentage factor.

42 (3) For general obligation bonds approved for issuance at an election  
43 held on or before June 30, 2016, the sum of the amount determined under

1 subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E)  
2 is the amount of payment the school district is entitled to receive from the  
3 school district capital improvements fund in the school year.

4 (4) For general obligation bonds approved for issuance at an election  
5 held on or after July 1, 2016, the amount determined under subsection (b)  
6 (2)(E) is the amount of payment the school district shall receive from the  
7 school district capital improvements fund in the school year, except the  
8 total amount of payments school districts receive from the school district  
9 capital improvements fund in the school year for such bonds shall not  
10 exceed the six-year average amount of capital improvement state aid as  
11 determined by the state board of education.

12 (A) The state board of education shall determine the six-year average  
13 amount of capital improvement state aid by calculating the average of the  
14 total amount of moneys expended per year from the school district capital  
15 improvements fund in the immediately preceding six fiscal years, not to  
16 include the current fiscal year.

17 (B) (i) Subject to clause (ii), the state board of education shall  
18 prioritize the allocations to school districts from the school district capital  
19 improvements fund in accordance with the priorities set forth as follows in  
20 order of highest priority to lowest priority:

21 (a) Safety of the current facility and disability access to such facility  
22 as demonstrated by a state fire marshal report, an inspection under the  
23 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar  
24 evaluation;

25 (b) enrollment growth and imminent overcrowding as demonstrated  
26 by successive increases in enrollment of the school district in the  
27 immediately preceding three school years;

28 (c) impact on the delivery of educational services as demonstrated by  
29 restrictive inflexible design or limitations on installation of technology;  
30 and

31 (d) energy usage and other operational inefficiencies as demonstrated  
32 by a district-wide energy usage analysis, district-wide architectural  
33 analysis or other similar evaluation.

34 (ii) In allocating capital improvement state aid, the state board shall  
35 give higher priority to those school districts with a lower AVPP compared  
36 to the other school districts that are to receive capital improvement state  
37 aid under this section.

38 (C) On and after July 1, 2016, the state board of education shall  
39 approve the amount of state aid payments a school district shall receive  
40 from the school district capital improvements fund pursuant to subsection  
41 (b)(5) prior to an election to approve the issuance of general obligation  
42 bonds.

43 (5) *Except as provided in subsection (b)(6), the sum of the amounts*

1 determined under subsection (b)(3) and the amount determined or  
2 allocated to the district by the state board of education pursuant to  
3 subsection (b)(4), is the amount of payment the school district is entitled to  
4 receive from the school district capital improvements fund in the school  
5 year.

6 *(6) A school district that had an enrollment of less than 260 students*  
7 *in the school year immediately preceding the school year in which an*  
8 *election is held to approve the issuance of general obligation bonds shall*  
9 *not be entitled to receive payments from the school district capital*  
10 *improvements fund unless such school district applied for and receive*  
11 *approval from the state board of education to issue such bonds prior to*  
12 *holding an election to approve such bond issuance. The provisions of this*  
13 *paragraph shall apply to general obligation bonds approved for issuance*  
14 *at an election held on or after July 1, 2017, that are issued for the purpose*  
15 *of financing the construction of new school facilities.*

16 (c) The state board of education shall certify to the director of  
17 accounts and reports the entitlements of school districts determined under  
18 the provisions of subsection (b), and an amount equal thereto shall be  
19 transferred by the director from the state general fund to the school district  
20 capital improvements fund for distribution to school districts. All transfers  
21 made in accordance with the provisions of this subsection shall be  
22 considered to be demand transfers from the state general fund, except that  
23 all such transfers during the fiscal years ending ~~June 30, 2013~~, June 30,  
24 ~~2014~~ 2017, June 30, ~~2015~~ 2018, and June 30, ~~2016~~ 2019, shall be  
25 considered to be revenue transfers from the state general fund.

26 (d) Payments from the school district capital improvements fund shall  
27 be distributed to school districts at times determined by the state board of  
28 education to be necessary to assist school districts in making scheduled  
29 payments pursuant to contractual bond obligations. The state board of  
30 education shall certify to the director of accounts and reports the amount  
31 due each school district entitled to payment from the fund, and the director  
32 of accounts and reports shall draw a warrant on the state treasurer payable  
33 to the treasurer of the school district. Upon receipt of the warrant, the  
34 treasurer of the school district shall credit the amount thereof to the bond  
35 and interest fund of the school district to be used for the purposes of such  
36 fund.

37 (e) The provisions of this section apply only to contractual  
38 obligations incurred by school districts pursuant to general obligation  
39 bonds issued upon approval of a majority of the qualified electors of the  
40 school district voting at an election upon the question of the issuance of  
41 such bonds.

42 (f) On or before the first day of the legislative session in 2017, and  
43 each year thereafter, the state board of education shall prepare and submit

1 a report to the legislature that includes information on school district  
2 elections held on or after July 1, 2016, to approve the issuance of general  
3 obligation bonds and the amount of payments school districts were  
4 approved to receive from the school district capital improvements fund  
5 pursuant to subsection (b)(4)(C).

6 Sec. 100. K.S.A. 2016 Supp. 79-201x is hereby amended to read as  
7 follows: 79-201x. For taxable years ~~2015 and 2016~~ *2017 and 2018*, the  
8 following described property, to the extent herein specified, shall be and is  
9 hereby exempt from the property tax levied pursuant to the provisions of  
10 ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and amendments thereto: Property  
11 used for residential purposes to the extent of \$20,000 of its appraised  
12 valuation.

13 Sec. 101. K.S.A. 2016 Supp. 79-213 is hereby amended to read as  
14 follows: 79-213. (a) Any property owner requesting an exemption from the  
15 payment of ad valorem property taxes assessed, or to be assessed, against  
16 their property shall be required to file an initial request for exemption, on  
17 forms approved by the state board of tax appeals and provided by the  
18 county appraiser.

19 (b) The initial exemption request shall identify the property for which  
20 the exemption is requested and state, in detail, the legal and factual basis  
21 for the exemption claimed.

22 (c) The request for exemption shall be filed with the county appraiser  
23 of the county where such property is principally located.

24 (d) After a review of the exemption request, and after a preliminary  
25 examination of the facts as alleged, the county appraiser shall recommend  
26 that the exemption request either be granted or denied, and, if necessary,  
27 that a hearing be held. If a denial is recommended, a statement of the  
28 controlling facts and law relied upon shall be included on the form.

29 (e) The county appraiser, after making such written recommendation,  
30 shall file the request for exemption and the recommendations of the county  
31 appraiser with the state board of tax appeals. With regard to a request for  
32 exemption from property tax pursuant to the provisions of K.S.A. 79-201g  
33 and 82a-409, and amendments thereto, not filed with the board of tax  
34 appeals by the county appraiser on or before the effective date of this act,  
35 if the county appraiser recommends the exemption request be granted, the  
36 exemption shall be provided in the amount recommended by the county  
37 appraiser and the county appraiser shall not file the request for exemption  
38 and recommendations of the county appraiser with the state board of tax  
39 appeals. The county clerk or county assessor shall annually make such  
40 adjustment in the taxes levied against the real property as the owner may  
41 be entitled to receive under the provisions of K.S.A. 79-201g, and  
42 amendments thereto, as recommended by the county appraiser, beginning  
43 with the first period, following the date of issue of the certificate of

1 completion on which taxes are regularly levied, and during the years  
2 which the landowner is entitled to such adjustment.

3 (f) Upon receipt of the request for exemption, the board shall docket  
4 the same and notify the applicant and the county appraiser of such fact.

5 (g) After examination of the request for exemption and the county  
6 appraiser's recommendation related thereto, the board may fix a time and  
7 place for hearing, and shall notify the applicant and the county appraiser of  
8 the time and place so fixed. A request for exemption pursuant to: (1)  
9 Section 13 of article 11 of the constitution of the state of Kansas; or (2)  
10 K.S.A. 79-201a *Second*, and amendments thereto, for property constructed  
11 or purchased, in whole or in part, with the proceeds of revenue bonds  
12 under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and  
13 amendments thereto, prepared in accordance with instructions and  
14 assistance which shall be provided by the department of commerce, shall  
15 be deemed approved unless scheduled for hearing within 30 days after the  
16 date of receipt of all required information and data relating to the request  
17 for exemption, and such hearing shall be conducted within 90 days after  
18 such date. Such time periods shall be determined without regard to any  
19 extension or continuance allowed to either party to such request. In any  
20 case where a party to such request for exemption requests a hearing  
21 thereon, the same shall be granted. Hearings shall be conducted in  
22 accordance with the provisions of the Kansas administrative procedure act.  
23 In all instances where the board sets a request for exemption for hearing,  
24 the county shall be represented by its county attorney or county counselor.

25 (h) Except as otherwise provided by subsection (g), in the event of a  
26 hearing, the same shall be originally set not later than 90 days after the  
27 filing of the request for exemption with the board.

28 (i) During the pendency of a request for exemption, no person, firm,  
29 unincorporated association, company or corporation charged with real  
30 estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-  
31 2004a, and amendments thereto, on the tax books in the hands of the  
32 county treasurer shall be required to pay the tax from the date the request  
33 is filed with the county appraiser until the expiration of 30 days after the  
34 board issued its order thereon and the same becomes a final order. In the  
35 event that taxes have been assessed against the subject property, no interest  
36 shall accrue on any unpaid tax for the year or years in question nor shall  
37 the unpaid tax be considered delinquent from the date the request is filed  
38 with the county appraiser until the expiration of 30 days after the board  
39 issued its order thereon. In the event the board determines an application  
40 for exemption is without merit and filed in bad faith to delay the due date  
41 of the tax, the tax shall be considered delinquent as of the date the tax  
42 would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and  
43 amendments thereto, and interest shall accrue as prescribed therein.

1 (j) In the event the board grants the initial request for exemption, the  
2 same shall be effective beginning with the date of first exempt use except  
3 that, with respect to property the construction of which commenced not to  
4 exceed 24 months prior to the date of first exempt use, the same shall be  
5 effective beginning with the date of commencement of construction.

6 (k) In conjunction with its authority to grant exemptions, the board  
7 shall have the authority to abate all unpaid taxes that have accrued from  
8 and since the effective date of the exemption. In the event that taxes have  
9 been paid during the period where the subject property has been  
10 determined to be exempt, the board shall have the authority to order a  
11 refund of taxes for the year immediately preceding the year in which the  
12 exemption application is filed in accordance with subsection (a).

13 (l) The provisions of this section shall not apply to: (1) Farm  
14 machinery and equipment exempted from ad valorem taxation by K.S.A.  
15 79-201j, and amendments thereto; (2) personal property exempted from ad  
16 valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing  
17 apparel, household goods and personal effects exempted from ad valorem  
18 taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all  
19 property exempted from ad valorem taxation by K.S.A. 79-201d, and  
20 amendments thereto; (6) merchants' and manufacturers' inventories  
21 exempted from ad valorem taxation by K.S.A. 79-201m, and amendments  
22 thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n,  
23 and amendments thereto; (8) property exempted from ad valorem taxation  
24 by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all  
25 property previously acquired by the secretary of transportation or a  
26 predecessor in interest, which is used in the administration, construction,  
27 maintenance or operation of the state system of highways. The secretary of  
28 transportation shall at the time of acquisition of property notify the county  
29 appraiser in the county in which the property is located that the acquisition  
30 occurred and provide a legal description of the property acquired; (9)  
31 property exempted from ad valorem taxation by K.S.A. 79-201a *Ninth*,  
32 and amendments thereto, including all property previously acquired by the  
33 Kansas turnpike authority which is used in the administration,  
34 construction, maintenance or operation of the Kansas turnpike. The Kansas  
35 turnpike authority shall at the time of acquisition of property notify the  
36 county appraiser in the county in which the property is located that the  
37 acquisition occurred and provide a legal description of the property  
38 acquired; (10) aquaculture machinery and equipment exempted from ad  
39 valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in  
40 this section, "aquaculture" has the same meaning ascribed thereto by  
41 K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery  
42 and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and  
43 amendments thereto; (12) property used exclusively by the state or any



1 municipality or political subdivision of the state for right-of-way purposes.  
2 The state agency or the governing body of the municipality or political  
3 subdivision shall at the time of acquisition of property for right-of-way  
4 purposes notify the county appraiser in the county in which the property is  
5 located that the acquisition occurred and provide a legal description of the  
6 property acquired; (13) machinery, equipment, materials and supplies  
7 exempted from ad valorem taxation by K.S.A. 79-201w, and amendments  
8 thereto; (14) vehicles owned by the state or by any political or taxing  
9 subdivision thereof and used exclusively for governmental purposes; (15)  
10 property used for residential purposes which is exempted pursuant to  
11 K.S.A. 79-201x, and amendments thereto, from the property tax levied  
12 pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and amendments  
13 thereto; (16) from and after July 1, 1998, vehicles which are owned by an  
14 organization having as one of its purposes the assistance by the provision  
15 of transit services to the elderly and to disabled persons and which are  
16 exempted pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto; (17)  
17 from and after July 1, 1998, motor vehicles exempted from taxation by  
18 K.S.A. 79-5107(e), and amendments thereto; (18) commercial and  
19 industrial machinery and equipment exempted from property or ad  
20 valorem taxation by K.S.A. 2016 Supp. 79-223, and amendments thereto;  
21 (19) telecommunications machinery and equipment and railroad  
22 machinery and equipment exempted from property or ad valorem taxation  
23 by K.S.A. 2016 Supp. 79-224, and amendments thereto; and (20) property  
24 exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-  
25 234, and amendments thereto.

26 (m) The provisions of this section shall apply to property exempt  
27 pursuant to the provisions of section 13 of article 11 of the constitution of  
28 the state of Kansas.

29 (n) The provisions of subsection (k) as amended by this act shall be  
30 applicable to all exemption applications filed in accordance with  
31 subsection (a) after December 31, 2001.

32 Sec. 102. K.S.A. 2016 Supp. 79-2001 is hereby amended to read as  
33 follows: 79-2001. (a) As soon as the county treasurer receives the tax roll  
34 of the county, the treasurer shall enter in a column opposite the description  
35 of each tract or parcel of land the amount of unpaid taxes and the date of  
36 unredeemed sales, if any, for previous years on such land. The treasurer  
37 shall cause a notice to be published in the official county paper once each  
38 week for three consecutive weeks, stating in the notice the amount of taxes  
39 charged for state, county, township, school, city or other purposes for that  
40 year, on each \$1,000 of valuation.

41 (b) Each year after receipt of the tax roll from the county clerk and  
42 before December 15, the treasurer shall mail to each taxpayer, as shown by  
43 the rolls, a tax statement which indicates the taxing unit, assessed value of

1 real and personal property, the mill levy and tax due. In addition, with  
2 respect to land devoted to agricultural use, such statement shall indicate  
3 the acreage and description of each parcel of such land. The tax statement  
4 shall also indicate separately each parcel of real property which is  
5 separately classified for property tax purposes. The county appraiser shall  
6 provide the information necessary for the county treasurer to comply with  
7 the provisions of this section. The tax statement also may include the  
8 intangible tax due the county. All items may be on one statement or may  
9 be shown on separate statements and may be on a form prescribed by the  
10 county treasurer. The statement shall be mailed to the last known address  
11 of the taxpayer or to a designee authorized by the taxpayer to accept the  
12 tax statement, if the designee has an interest in receiving the statement.  
13 When any statement is returned to the county treasurer for failure to find  
14 the addressee, the treasurer shall make a diligent effort to find a  
15 forwarding address of the taxpayer and mail the statement to the new  
16 address. All tax statements mailed pursuant to this section shall be mailed  
17 by first-class mail. The requirement for mailing a tax statement shall  
18 extend only to the initial statement required to be mailed in each year and  
19 to any follow-up required by this section.

20 (c) For tax year 1998, and all tax years thereafter, after receipt of the  
21 tax roll from the county clerk and before December 15, the treasurer shall  
22 mail to each taxpayer, as shown by the tax rolls, a tax information form  
23 which indicates the taxing unit, assessed value of real property for the  
24 current and next preceding taxable year, the mill levy for the current and  
25 next preceding taxable year and, in the case of unified school districts, the  
26 mill levy required by ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and  
27 amendments thereto, shall be separately indicated, the tax due and an  
28 itemization of each taxing unit's mill levy for the current and next  
29 preceding taxable year and the percentage change in the amount of  
30 revenue produced therefrom, if any. In addition, with respect to land  
31 devoted to agricultural use, such form shall indicate the acreage and  
32 description of each parcel of such land. The tax information form shall  
33 also indicate separately each parcel of real property which is separately  
34 classified for property tax purposes. The county appraiser shall provide the  
35 information necessary for the county treasurer to comply with the  
36 provisions of this section. The tax information form may be separate from  
37 the tax statement or a part of the tax statement. The tax information form  
38 shall be in a format prescribed by the director of property valuation. The  
39 tax information form shall be mailed to the last known address of the  
40 taxpayer. When a tax information form is returned to the county treasurer  
41 for failure to find the addressee, the treasurer shall make a diligent effort to  
42 find a forwarding address of the taxpayer and mail the tax information  
43 form to the new address. All tax information forms mailed pursuant to this

1 section shall be mailed by first class mail.

2 Sec. 103. K.S.A. 2016 Supp. 79-2925b is hereby amended to read as  
3 follows: 79-2925b. (a) Without a majority vote so providing, the governing  
4 body of any municipality shall not approve any appropriation or budget, as  
5 the case requires, which may be funded by revenue produced from  
6 property taxes, and which provides for funding with such revenue in an  
7 amount exceeding that of the next preceding year, adjusted to reflect  
8 changes in the consumer price index for all urban consumers as published  
9 by the United States department of labor for the preceding calendar year. If  
10 the total tangible property valuation in any municipality increases from the  
11 next preceding year due to increases in the assessed valuation of existing  
12 tangible property and such increase exceeds changes in the consumer price  
13 index, the governing body shall lower the amount of ad valorem tax to be  
14 levied to the amount of ad valorem tax levied in the next preceding year,  
15 adjusted to reflect changes in the consumer price index. This subsection  
16 shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-  
17 6b04 and ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and amendments thereto,  
18 and any other ad valorem tax levy which was previously approved by the  
19 voters of such municipality. Notwithstanding the requirements of this  
20 subsection, nothing herein shall prohibit a municipality from increasing  
21 the amount of ad valorem tax to be levied if the municipality approves the  
22 proposed increase with a majority vote of the governing body by the  
23 adoption of a resolution and publishes its vote to approve the appropriation  
24 or budget including the increase as provided in subsection (c).

25 (b) Revenue that, in the current year, is produced and attributable to  
26 the taxation of:

- 27 (1) New improvements to real property;
- 28 (2) increased personal property valuation;
- 29 (3) property located within added jurisdictional territory; or
- 30 (4) property which has changed in use shall not be considered when  
31 determining whether revenue produced from property has increased from  
32 the next preceding year.

33 (c) In the event the governing body votes to approve any  
34 appropriation or budget, as the case requires, which may be funded by  
35 revenue produced from property taxes, and which provides for funding  
36 with such revenue in an amount exceeding that of the next preceding year  
37 as provided in subsection (a), notice of such vote shall be published in the  
38 official county newspaper of the county where such municipality is  
39 located.

40 (d) The provisions of this section shall be applicable to all fiscal and  
41 budget years commencing on and after the effective date of this act.

42 (e) The provisions of this section shall not apply to revenue received  
43 from property tax levied for the sole purpose of repayment of the principal

1 of and interest upon bonded indebtedness, temporary notes and no-fund  
2 warrants.

3 (f) For purposes of this section:

4 (1) "Municipality" means any political subdivision of the state which  
5 levies an ad valorem tax on property and includes, but is not limited to,  
6 any township, municipal university, school district, community college,  
7 drainage district or other taxing district;

8 (2) "municipality" shall not include:

9 (A) Any such political subdivision or taxing district which receives  
10 \$1,000 or less in revenue from property taxes in the current year; or

11 (B) any city or county.

12 Sec. 104. In sections 1 and 2, if any fund or account name described  
13 by words and the numerical accounting code that follows such fund or  
14 account name do not match, it shall be conclusively presumed that the  
15 legislature intended that the fund or account name described by words is  
16 the correct fund or account name, and such fund or account name  
17 described by words shall control over a contradictory or incorrect  
18 numerical accounting code.

19 Sec. 105. K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-  
20 1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 46-1133, 72-978, 72-  
21 1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-6482,  
22 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-  
23 67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249,  
24 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-  
25 8804, 72-8908, 72-9509, 72-9609, 72-99a02, 74-4939a, 74-8925, 74-  
26 99b43, 75-2319, 75-2319, as amended by section 46 of Senate Substitute  
27 for Substitute for House Bill No. 2052, 79-201x, 79-213, 79-2001 and 79-  
28 2925b are hereby repealed.

29 Sec. 106. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as  
30 amended by section 92 of this act, and 72-99a04 are hereby repealed.

31 Sec. 107. This act shall take effect and be in force from and after its  
32 publication in the statute book.