

Office of Revisor of Statutes
300 S.W. 10th Avenue
Suite 010-E, Statehouse
Topeka, Kansas 66612-1592
Telephone (785) 296 -2321 FAX (785) 296-6668

MEMORANDUM

To: House Committee on Vision 2020

From: Renae Jefferies, Assistant Revisor

Date: February 10, 2016

Subject:: House Bill No. 2570

HB 2570 subsection (a) authorizes the governing board of any technical college to make an annual tax levy for a period not to exceed five years and not to exceed two mills upon all tangible property in the home county of such technical college for the purpose of construction, reconstruction, repair, remodeling, additions to, furnishing and equipping of technical college buildings, architectural expenses incidental thereto, and the acquisition of real property for use as building sites or for educational programs. No levy shall be made under this section until a resolution authorizing the levy is passed by the governing board and published once each week for three consecutive weeks in a newspaper having general circulation in the home county of such technical college. The resolution shall set out the mill rate of the tax levy and the period of time for which the tax levy shall be authorized.

After adoption of the resolution, the levy may be made, unless within 60 days following the last publication, a petition in opposition to the levy, signed by not less than 5% of the qualified electors of the technical colleges home county, is filed with the county election officer of such county. If the petition is filed , the levy shall not be made until the question is called at an election for that purpose or at the next general election. If a petition is filed and no election held, a new resolution authorizing a levy may not be adopted for a period of one year after the filing of the petition.

Subsection (b) provides that whenever an initial resolution has been adopted which specified a lower mill rate than two mills, the governing board may adopt a second resolution under the same procedures, conditions and purposes set out in subsection (a). The second resolution shall be for the remainder of the period of time specified in the initial resolution and limited in amount as specified in subsection (a), less such amount as was authorized in the initial resolution and not to exceed an aggregate amount of two mills in any one year.

Subsection (c) allows that a governing board which has made a levy under this section to initiate at any time after the final levy is certified to the county clerk under any current authorization, procedures to renew its authority to make a like annual tax levy in the amount, upon the conditions and manner specified in subsection (a).

Subsection (d) establishes in every technical college a capital outlay fund which shall consist of all moneys deposited therein in accordance with law. Proceeds of any tax levied under subsection (a) shall be deposited in the capital outlay fund of the technical college making such levy.

Subsection (e) provides that if any technical college is authorized to make a tax levy under subsection (a), but the governing board of such technical college chooses in any year not to do so or chooses to make a levy lesser than authorized, the governing board may do so. If the governing board refrains from making a levy in any one or more years or from making the full levy which is authorized under subsection (a) and the resolution adopted thereunder, the authority of the technical college to make a tax levy shall not be extended beyond the period of time specified in the resolution, nor shall the mill rate of the tax levy authorized for any succeeding year be increased thereby.

Subsection (f) defined "home county" as the county in which the main campus of the technical college is located.

If enacted, the act shall take effect upon publication in the statute book.