

## HOUSE BILL No. 2758

By Representative D. Williams

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AN ACT concerning school districts; relating to base state aid per pupil, teachers salaries and the local option budget; amending K.S.A. 2001 Supp. 72-6410 and 72-6433 and repealing the existing sections; also repealing K.S.A. 2001 Supp. 72-6444.

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

New Section 1. (a) Beginning in the 2002-2003 school year, the board of every school district shall increase teachers salaries by an amount equal to at a minimum a 5% increase over the preceding year's salary. The board of every school district shall not increase the teacher to pupil ratio, unless the increase is due to an increase or decrease in pupils and not a decrease in teachers. If any school district board decreases the number of teachers, and such a decrease is not based on a decrease in pupil enrollment, such school district will not receive the increase in base state aid per pupil for the next two school years.

(b) As used in this section, "teacher" means classroom teachers including, in addition to regular kindergarten through grade 12 classroom teachers, special education teachers, practical arts/vocational education teachers, prekindergarten teachers and reading specialists who spend at least 50% of such teachers' employment time in the classroom.

Sec. 2. K.S.A. 2001 Supp. 72-6410 is hereby amended to read as follows: 72-6410. (a) "State financial aid" means an amount equal to the product obtained by multiplying base state aid per pupil by the adjusted enrollment of a district.

(b) "Base state aid per pupil" means an amount of state financial aid per pupil. Subject to the other provisions of this subsection, the amount of base state aid per pupil is \$3,870 for the 2001-2002 school year and for each school year thereafter the amount of base state aid per pupil is the amount of base state aid per pupil in the preceding school year increased by 5%. The amount of base state aid per pupil is subject to reduction commensurate with any reduction under K.S.A. 75-6704, and amendments thereto, in the amount of the appropriation from the state general fund for general state aid. If the amount of appropriations for general state aid is insufficient to pay in full the amount each district is entitled to receive for any school year, the amount of base state aid per

1 pupil for such school year is subject to reduction commensurate with the  
2 amount of the insufficiency.

3 (c) “Local effort” means the sum of an amount equal to the proceeds  
4 from the tax levied under authority of K.S.A. 72-6431, and amendments  
5 thereto, and an amount equal to any unexpended and unencumbered  
6 balance remaining in the general fund of the district, except amounts  
7 received by the district and authorized to be expended for the purposes  
8 specified in K.S.A. 72-6430, and amendments thereto, and an amount  
9 equal to any unexpended and unencumbered balances remaining in the  
10 program weighted funds of the district, except any amount in the voca-  
11 tional education fund of the district if the district is operating an area  
12 vocational school, and an amount equal to any remaining proceeds from  
13 taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amend-  
14 ments thereto, prior to the repeal of such statutory sections, and an  
15 amount equal to the amount deposited in the general fund in the current  
16 school year from amounts received in such year by the district under the  
17 provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto,  
18 and an amount equal to the amount deposited in the general fund in the  
19 current school year from amounts received in such year by the district  
20 pursuant to contracts made and entered into under authority of K.S.A.  
21 72-6757, and amendments thereto, and an amount equal to the amount  
22 credited to the general fund in the current school year from amounts  
23 distributed in such year to the district under the provisions of articles 17  
24 and 34 of chapter 12 of Kansas Statutes Annotated and under the pro-  
25 visions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated,  
26 and an amount equal to the amount of payments received by the district  
27 under the provisions of K.S.A. 72-979, and amendments thereto, and an  
28 amount equal to the amount of a grant, if any, received by the district  
29 under the provisions of K.S.A. 2001 Supp. 72-983, and amendments  
30 thereto, and an amount equal to 75% of the federal impact aid of the  
31 district.

32 (d) “Federal impact aid” means an amount equal to the federally  
33 qualified percentage of the amount of moneys a district receives in the  
34 current school year under the provisions of title I of public law 874 and  
35 congressional appropriations therefor, excluding amounts received for as-  
36 sistance in cases of major disaster and amounts received under the low-  
37 rent housing program. The amount of federal impact aid defined herein  
38 as an amount equal to the federally qualified percentage of the amount  
39 of moneys provided for the district under title I of public law 874 shall  
40 be 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 Sec. 3. K.S.A. 2001 Supp. 72-6433 is hereby amended to read as

1 follows: 72-6433. (a) (1) The board of any district ~~may is authorized to~~  
2 adopt a local option budget in each school year, ~~commencing with the~~  
3 ~~1997-98 school year~~, in an amount ~~not to exceed an amount equal to the~~  
4 ~~district prescribed percentage of the amount of state financial aid deter-~~  
5 ~~mined for the district in the school year. As used in this provision the~~  
6 ~~term district prescribed percentage means:~~

7 ~~—(A)— For any district that was authorized to adopt and that adopted a~~  
8 ~~local option budget in the 1996-97 school year and to which the provisions~~  
9 ~~of K.S.A. 2001 Supp. 72-6444, and amendments thereto, do not apply in~~  
10 ~~the current school year, a percentage in the 1997-98 school year that is~~  
11 ~~equal to the percentage specified in the resolution under which the dis-~~  
12 ~~trict was authorized to adopt a local option budget in the 1996-97 school~~  
13 ~~year, in the 1998-99 school year, a percentage that is equal to 95% of the~~  
14 ~~percentage specified in the resolution under which the district was au-~~  
15 ~~thorized to adopt a local option budget in the 1996-97 school year, in the~~  
16 ~~1999-2000 school year, a percentage that is equal to 90% of the percent-~~  
17 ~~age specified in the resolution under which the district was authorized to~~  
18 ~~adopt a local option budget in the 1996-97 school year, in the 2000-01~~  
19 ~~school year, a percentage that is equal to 85% of the percentage specified~~  
20 ~~in the resolution under which the district was authorized to adopt a local~~  
21 ~~option budget in the 1996-97 school year, in the 2001-02 school year and~~  
22 ~~in each school year thereafter, a percentage that is equal to 80% of the~~  
23 ~~percentage specified in the resolution under which the district was au-~~  
24 ~~thorized to adopt a local option budget in the 1996-97 school year;~~

25 ~~—(B)— for any district that was authorized to adopt and that adopted a~~  
26 ~~local option budget in the 1996-97 school year and to which the provisions~~  
27 ~~of K.S.A. 2001 Supp. 72-6444, and amendments thereto, apply in the~~  
28 ~~current school year, a percentage in the 1997-98 school year that is equal~~  
29 ~~to the sum of the percentage of the amount of state financial aid the~~  
30 ~~district was authorized to budget in the preceding school year and 20%~~  
31 ~~of the percentage computed for the district by the state board under the~~  
32 ~~provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto, a~~  
33 ~~percentage in the 1998-99 school year that is equal to the sum of the~~  
34 ~~percentage of the amount of state financial aid the district was authorized~~  
35 ~~to budget in the preceding school year and 40% of the percentage com-~~  
36 ~~puted for the district by the state board under the provisions of K.S.A.~~  
37 ~~2001 Supp. 72-6444, and amendments thereto, a percentage in the 1999-~~  
38 ~~2000 school year that is equal to the sum of the percentage of the amount~~  
39 ~~of state financial aid the district was authorized to budget in the preceding~~  
40 ~~school year and 60% of the percentage computed for the district by the~~  
41 ~~state board under the provisions of K.S.A. 2001 Supp. 72-6444, and~~  
42 ~~amendments thereto, a percentage in the 2000-01 school year that is~~  
43 ~~equal to the sum of the percentage of the amount of state financial aid~~

1 the district was authorized to budget in the preceding school year and  
2 80% of the percentage computed for the district by the state board under  
3 the provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto,  
4 a percentage in the 2001-02 school year and each school year thereafter  
5 that is equal to the sum of the percentage of the amount of state financial  
6 aid the district was authorized to budget in the preceding school year and  
7 the percentage computed for the district by the state board under the  
8 provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto;

9 —(C)— for any district that was not authorized to adopt a local option  
10 budget in the 1996-97 school year and to which the provisions of K.S.A.  
11 2001 Supp. 72-6444, and amendments thereto, apply in the current  
12 school year, a percentage in the 1997-98 school year that is equal to 20%  
13 of the percentage computed for the district by the state board under the  
14 provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto, a  
15 percentage in the 1998-99 school year that is equal to the sum of the  
16 percentage of the amount of state financial aid the district was authorized  
17 to budget in the preceding school year and 40% of the percentage com-  
18 puted for the district by the state board under the provisions of K.S.A.  
19 2001 Supp. 72-6444, and amendments thereto, a percentage in the 1999-  
20 2000 school year that is equal to the sum of the percentage of the amount  
21 of state financial aid the district was authorized to budget in the preceding  
22 school year and 60% of the percentage computed for the district by the  
23 state board under the provisions of K.S.A. 2001 Supp. 72-6444, and  
24 amendments thereto, a percentage in the 2000-01 school year that is  
25 equal to the sum of the percentage of the amount of state financial aid  
26 the district was authorized to budget in the preceding school year and  
27 80% of the percentage computed for the district by the state board under  
28 the provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto,  
29 a percentage in the 2001-02 school year and each school year thereafter  
30 that is equal to the sum of the percentage of the amount of state financial  
31 aid the district was authorized to budget in the preceding school year and  
32 the percentage computed for the district by the state board under the  
33 provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto;

34 —(D)— for any district to which the provisions of K.S.A. 2001 Supp. 72-  
35 6444, and amendments thereto, applied in the 1997-98 school year and  
36 to which the provisions of K.S.A. 2001 Supp. 72-6444, and amendments  
37 thereto, do not apply in the current school year, commencing with the  
38 1998-99 school year, because an increase in the amount budgeted by the  
39 district in its local option budget as authorized by a resolution adopted  
40 under the provisions of subsection (b) causes the actual amount per pupil  
41 budgeted by the district in the preceding school year as determined for  
42 the district under provision (1) of subsection (a) of K.S.A. 2001 Supp. 72-  
43 6444, and amendments thereto, to equal or exceed the average amount

1 per pupil of general fund budgets and local option budgets computed by  
2 the state board under whichever of the provisions (7) through (10) of  
3 subsection (a) of K.S.A. 2001 Supp. 72-6444, and amendments thereto,  
4 is applicable to the district's enrollment group, a percentage that is equal  
5 to the percentage of the amount of state financial aid the district was  
6 authorized to budget in the preceding school year if the resolution au-  
7 thorized the district to increase its local option budget on a continuous  
8 and permanent basis. If the resolution that authorized the district to in-  
9 crease its local option budget specified a definite period of time for which  
10 the district would retain its authority to increase the local option budget  
11 and such authority lapses at the conclusion of such period and is not  
12 renewed, the term district prescribed percentage means a percentage that  
13 is equal to the percentage of the amount of state financial aid the district  
14 was authorized to budget in the preceding school year less the percentage  
15 of increase that was authorized by the resolution unless the loss of the  
16 percentage of increase that was authorized by the resolution would cause  
17 the actual amount per pupil budgeted by the district to be less than the  
18 average amount per pupil of general fund budgets and local option bud-  
19 gets computed by the state board under whichever of the provisions (7)  
20 through (10) of subsection (a) of K.S.A. 2001 Supp. 72-6444, and amend-  
21 ments thereto, is applicable to the district's enrollment group, in which  
22 case, the term district prescribed percentage means a percentage that is  
23 equal to the percentage of the amount of state financial aid the district  
24 was authorized to budget in the preceding school year less the percentage  
25 of increase that was authorized by the resolution plus a percentage which  
26 shall be computed for the district by the state board in accordance with  
27 the provisions of K.S.A. 2001 Supp. 72-6444, and amendments thereto,  
28 except that, in making the determination of the actual amount per pupil  
29 budgeted by the district in the preceding school year, the state board shall  
30 exclude the percentage of increase that was authorized by the resolution.  
31 —(2) (A) Subject to the provisions of subpart (B), the adoption of a  
32 local option budget under authority of this subsection shall require a  
33 majority vote of the members of the board and shall require no other  
34 procedure, authorization or approval.  
35 —(B) In lieu of utilizing the authority granted by subpart (A) for adop-  
36 tion of a local option budget, the board of a district may pass *the board*  
37 *of the district determines to be in the best interests of the pupils enrolled*  
38 *in the district. No district is authorized to adopt a local option budget*  
39 *under this subsection until a resolution authorizing adoption of such a*  
40 *budget has been passed by the board and publish such resolution pub-*  
41 *lished once in a newspaper having general circulation in the district. The*  
42 *resolution shall must be or must have been published in substantial com-*  
43 *pliance with the following form:*

1 Unified School District No. \_\_\_\_\_,  
2 \_\_\_\_\_ County, Kansas.

3 RESOLUTION

4 Be It Resolved that:

5 The board of education of the above-named school district shall be authorized to adopt  
6 a local option budget in each school year ~~for a period of time not to exceed \_\_\_\_\_ years~~  
7 in an amount ~~not to exceed \_\_\_\_\_%~~ of the amount of state financial aid determined ~~for~~  
8 ~~the current school year to be in the best interest of the pupils enrolled in the district.~~ The  
9 local option budget authorized by this resolution may be adopted, unless a petition in op-  
10 position to the same, signed by not less than 5% of the qualified electors of the school  
11 district, is filed with the county election officer of the home county of the school district  
12 within 30 days after publication of this resolution. In the event a petition is filed, the county  
13 election officer shall submit the question of whether adoption of the local option budget  
14 shall be authorized to the electors of the school district at an election called for the purpose  
15 or at the next general election, as is specified by the board of education of the school district.

16 CERTIFICATE

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

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

22 All of the blanks in the resolution ~~shall must be or must have been~~  
23 ~~appropriately filled. The blank preceding the word "years" shall be filled~~  
24 ~~with a specific number, and the blank preceding the percentage symbol~~  
25 ~~shall be filled with a specific number. No word shall be inserted in either~~  
26 ~~of the blanks. The percentage specified in the resolution shall not exceed~~  
27 ~~the district prescribed percentage. The resolution shall must be or must~~  
28 ~~have been published once in a newspaper having general circulation in~~  
29 ~~the school district. If no petition as specified above is or was filed in~~  
30 ~~accordance with the provisions of the resolution, the board may is au-~~  
31 ~~thorized to adopt a local option budget. If a petition is filed after the~~  
32 ~~effective date of this act as provided in the resolution, the board may notify~~  
33 ~~the county election officer of the date of an election to be held to submit~~  
34 ~~the question of whether adoption of a local option budget shall be au-~~  
35 ~~thorized. If the board fails to notify the county election officer within 30~~  
36 ~~days after a petition is filed, the resolution shall be deemed abandoned~~  
37 ~~and no like resolution shall be adopted by the board within the nine~~  
38 ~~months following publication of the resolution. If a petition was filed prior~~  
39 ~~to the effective date of this act, was protested and an election was held by~~  
40 ~~which the adoption of a local option budget was approved, the board is~~  
41 ~~authorized to adopt a local option budget.~~

42 (2) If any district is authorized to adopt a local option budget under  
43 ~~this subpart~~, but the board of such district chooses, in any school year,

1 not to adopt such a budget or chooses, in any school year, to adopt such  
2 budget in an amount less than the amount of the district prescribed per-  
3 centage of the amount of state financial aid in any school year, such board  
4 of education may so choose. If the board of any district refrains from  
5 adopting a local option budget in any one or more school years or refrains  
6 from budgeting the total amount authorized for any one or more school  
7 years, the authority of such district to adopt a local option budget shall  
8 not be extended by such refrainment beyond the period specified in the  
9 resolution authorizing adoption of such budget, nor shall the amount au-  
10 thorized to be budgeted in any succeeding school year be increased by  
11 such refrainment. Whenever an initial resolution has been adopted under  
12 this subpart, and such resolution specified a lesser percentage than the  
13 district prescribed percentage, the board of the district may adopt one or  
14 more subsequent resolutions under the same procedure as provided for  
15 the initial resolution and subject to the same conditions, and shall be  
16 authorized to increase the percentage as specified in any such subsequent  
17 resolution for the remainder of the period of time specified in the initial  
18 resolution. Any percentage specified in a subsequent resolution or in sub-  
19 sequent resolutions shall be limited so that the sum of the percentage  
20 authorized in the initial resolution and the percentage authorized in the  
21 subsequent resolution or in subsequent resolutions is not in excess of the  
22 district prescribed percentage in any school year. The board of any district  
23 that has been authorized to adopt a local option budget under this subpart  
24 and levied a tax under authority of K.S.A. 72-6435, and amendments  
25 thereto, may initiate, at any time after the final levy is certified to the  
26 county clerk under any current authorization, procedures to renew its  
27 authority to adopt a local option budget in the manner specified in this  
28 subpart or may utilize the authority granted by subpart (A). As used in  
29 this subpart, the term "authorized to adopt a local option budget" means  
30 that a district has adopted a resolution under this subpart, has published  
31 the same, and either that the resolution was not protested or that it was  
32 protested and an election was held by which the adoption of a local option  
33 budget was approved.

34 —(3)—The provisions of this subsection are subject to the provisions of  
35 subsections (b) and (c).

36 —(b) (1)—The board of any district that adopts a local option budget  
37 under subsection (a) may increase the amount of such budget in each  
38 school year, commencing with the 1997-98 school year, in an amount  
39 which together with the percentage of the amount of state financial aid  
40 budgeted under subsection (a) does not exceed the state prescribed per-  
41 centage of the amount of state financial aid determined for the district in  
42 the school year if the board of the district determines that an increase in  
43 such budget would be in the best interests of the district.

1 ~~—(2)—~~ No district may increase a local option budget under authority of  
2 this subsection until: (A) A resolution authorizing such an increase is  
3 passed by the board and published once in a newspaper having general  
4 circulation in the district; or (B) the question of whether the board shall  
5 be authorized to increase the local option budget has been submitted to  
6 and approved by the qualified electors of the district at a special election  
7 called for the purpose. Any such election shall be noticed, called and held  
8 in the manner provided by K.S.A. 10-120, and amendments thereto, for  
9 the noticing, calling and holding of elections upon the question of issuing  
10 bonds under the general bond law. The notice of such election shall state  
11 the purpose for and time of the election, and the ballot shall be designed  
12 with the question of whether the board of education of the district shall  
13 be continuously and permanently authorized to increase the local option  
14 budget of the district in each school year by a percentage which together  
15 with the percentage of the amount of state financial aid budgeted under  
16 subsection (a) does not exceed the state prescribed percentage in any  
17 school year. If a majority of the qualified electors voting at the election  
18 approve authorization of the board to increase the local option budget,  
19 the board shall have such authority. If a majority of the qualified electors  
20 voting at the election are opposed to authorization of the board to increase  
21 the local option budget, the board shall not have such authority and no  
22 like question shall be submitted to the qualified electors of the district  
23 within the nine months following the election.

24 ~~—(3) (A)—~~ Subject to the provisions of subpart (B), a resolution author-  
25 izing an increase in the local option budget of a district shall state that  
26 the board of education of the district shall be authorized to increase the  
27 local option budget of the district in each school year in an amount not  
28 to exceed \_\_\_\_\_% of the amount of state financial aid determined for the  
29 current school year and that the percentage of increase may be reduced  
30 so that the sum of the percentage of the amount of state financial aid  
31 budgeted under subsection (a) and the percentage of increase specified  
32 in the resolution does not exceed the state prescribed percentage in any  
33 school year. The blank preceding the percentage symbol shall be filled  
34 with a specific number. No word shall be inserted in the blank. The  
35 resolution shall specify a definite period of time for which the board shall  
36 be authorized to increase the local option budget and such period of time  
37 shall be expressed by the specific number of school years for which the  
38 board shall retain its authority to increase the local option budget. No  
39 word shall be used to express the number of years for which the board  
40 shall be authorized to increase the local option budget.

41 ~~—(B)—~~ In lieu of the requirements of subpart (A) and at the discretion  
42 of the board, a resolution authorizing an increase in the local option  
43 budget of a district may state that the board of education of the district



1 shall be continuously and permanently authorized to increase the local  
2 option budget of the district in each school year by a percentage which  
3 together with the percentage of the amount of state financial aid budgeted  
4 under subsection (a) does not exceed the state prescribed percentage in  
5 any school year.

6 —(4)— A resolution authorizing an increase in the local option budget of  
7 a district shall state that the amount of the local option budget may be  
8 increased as authorized by the resolution unless a petition in opposition  
9 to such increase, signed by not less than 5% of the qualified electors of  
10 the school district, is filed with the county election officer of the home  
11 county of the school district within 30 days after publication. If no petition  
12 is filed in accordance with the provisions of the resolution, the board is  
13 authorized to increase the local option budget of the district. If a petition  
14 is filed as provided in the resolution, the board may notify the county  
15 election officer of the date of an election to be held to submit the question  
16 of whether the board shall be authorized to increase the local option  
17 budget of the district. If the board fails to notify the county election officer  
18 within 30 days after a petition is filed, the resolution shall be deemed  
19 abandoned and no like resolution shall be adopted by the board within  
20 the nine months following publication of the resolution.

21 —(5)— The requirements of provision (2) do not apply to any district that  
22 is continuously and permanently authorized to increase the local option  
23 budget of the district. An increase in the amount of a local option budget  
24 by such a district shall require a majority vote of the members of the  
25 board and shall require no other procedure, authorization or approval.

26 —(6)— If any district is authorized to increase a local option budget, but  
27 the board of such district chooses, in any school year, not to adopt or  
28 increase such budget or chooses, in any school year, to adopt or increase  
29 such budget in an amount less than the amount authorized, such board  
30 of education may so choose. If the board of any district refrains from  
31 adopting or increasing a local option budget in any one or more school  
32 years or refrains from budgeting the total amount authorized for any one  
33 or more school years, the amount authorized to be budgeted in any suc-  
34 ceeding school year shall not be increased by such refrainment, nor shall  
35 the authority of the district to increase its local option budget be extended  
36 by such refrainment beyond the period of time specified in the resolution  
37 authorizing an increase in the local option budget if the resolution spec-  
38 ified such a period of time.

39 —(7)— Whenever an initial resolution has been adopted under this sub-  
40 section, and such resolution specified a percentage which together with  
41 the percentage of the amount of state financial aid budgeted under sub-  
42 section (a) is less than the state prescribed percentage, the board of the  
43 district may adopt one or more subsequent resolutions under the same

1 procedure as provided for the initial resolution and shall be authorized  
2 to increase the percentage as specified in any such subsequent resolution.  
3 If the initial resolution specified a definite period of time for which the  
4 district is authorized to increase its local option budget, the authority to  
5 increase such budget by the percentage specified in any subsequent res-  
6 olution shall be limited to the remainder of the period of time specified  
7 in the initial resolution. Any percentage specified in a subsequent reso-  
8 lution or in subsequent resolutions shall be limited so that the sum of the  
9 percentage authorized in the initial resolution and the percentage au-  
10 thorized in the subsequent resolution or in subsequent resolutions to-  
11 gether with the percentage of the amount of state financial aid budgeted  
12 under subsection (a) is not in excess of the state prescribed percentage  
13 in any school year.

14 —(8) (A) Subject to the provisions of subpart (B), the board of any  
15 district that has adopted a local option budget under subsection (a), has  
16 been authorized to increase such budget under a resolution which spec-  
17 ified a definite period of time for retention of such authorization, and has  
18 levied a tax under authority of K.S.A. 72-6435, and amendments thereto,  
19 may initiate, at any time after the final levy is certified to the county clerk  
20 under any current authorization, procedures to renew the authority to  
21 increase the local option budget subject to the conditions and in the  
22 manner specified in provisions (2) and (3) of this subsection.

23 —(B) The provisions of subpart (A) do not apply to the board of any  
24 district that is continuously and permanently authorized to increase the  
25 local option budget of the district.

26 —(9) (3) As used in this subsection:

27 (A) “Authorized to increase *adopt* a local option budget” means ei-  
28 ther that a district has held a special election under provision (2)(B) by  
29 which authority of the board to increase a local option budget was ap-  
30 proved, or that a district has adopted a resolution under provision (2) (A)  
31 *this subsection either prior to or after the effective date of this act*, has  
32 published the same, and either that the resolution was not protested or  
33 that it was protested and an election was held by which the authority of  
34 the board to increase a *adoption of the* local option budget was approved.

35 (B) “State prescribed percentage” means 25%.

36 —(c) To the extent the provisions of the foregoing subsections conflict  
37 with this subsection, this subsection shall control. Any district that is au-  
38 thorized to adopt a local option budget in the 1997-98 school year under  
39 a resolution which authorized the adoption of such budget in accordance  
40 with the provisions of this section prior to its amendment by this act may  
41 continue to operate under such resolution for the period of time specified  
42 in the resolution or may abandon the resolution and operate under the  
43 provisions of this section as amended by this act. Any such district shall

1 operate under the provisions of this section as amended by this act after  
2 the period of time specified in the resolution has expired.

3 —(d)(1) (b) There is hereby established in every district that adopts a  
4 local option budget a fund which shall be called the supplemental general  
5 fund. The fund shall consist of all amounts deposited therein or credited  
6 thereto according to law.

7 (2) ~~Subject to the limitation imposed under provision (3),~~ Amounts  
8 in the supplemental general fund may be expended for any purpose for  
9 which expenditures from the general fund are authorized or may be trans-  
10 ferred to the general fund of the district or to any program weighted fund  
11 or categorical fund of the district.

12 (3) ~~Amounts in the supplemental general fund may not be expended~~  
13 ~~nor transferred to the general fund of the district for the purpose of~~  
14 ~~making payments under any lease purchase agreement involving the ac-~~  
15 ~~quisition of land or buildings which is entered into pursuant to the pro-~~  
16 ~~visions of K.S.A. 72-8225, and amendments thereto.~~

17 —(4) ~~Any unexpended and unencumbered cash balance remaining in~~  
18 ~~the supplemental general fund of a district at the conclusion of any school~~  
19 ~~year in which a local option budget is adopted shall be disposed of as~~  
20 ~~provided in this subsection. If the district did not receive supplemental~~  
21 ~~general state aid in the school year and the board of the district deter-~~  
22 ~~mines that it will be necessary to adopt a local option budget in the en-~~  
23 ~~suing school year, the total amount of the cash balance remaining in the~~  
24 ~~supplemental general fund shall be maintained in such fund or trans-~~  
25 ~~ferred to the general fund of the district. If the board of such a district~~  
26 ~~determines that it will not be necessary to adopt a local option budget in~~  
27 ~~the ensuing school year, the total amount of the cash balance remaining~~  
28 ~~in the supplemental general fund shall be transferred to the general fund~~  
29 ~~of the district. If the district received supplemental general state aid in~~  
30 ~~the school year, transferred or expended the entire amount budgeted in~~  
31 ~~the local option budget for the school year, and determines that it will be~~  
32 ~~necessary to adopt a local option budget in the ensuing school year, the~~  
33 ~~total amount of the cash balance remaining in the supplemental general~~  
34 ~~fund shall be maintained in such fund or transferred to the general fund~~  
35 ~~of the district. If such a district determines that it will not be necessary~~  
36 ~~to adopt a local option budget in the ensuing school year, the total amount~~  
37 ~~of the cash balance remaining in the supplemental general fund shall be~~  
38 ~~transferred to the general fund of the district. If the district received~~  
39 ~~supplemental general state aid in the school year, did not transfer or~~  
40 ~~expend the entire amount budgeted in the local option budget for the~~  
41 ~~school year, and determines that it will not be necessary to adopt a local~~  
42 ~~option budget in the ensuing school year, the total amount of the cash~~  
43 ~~balance remaining in the supplemental general fund shall be transferred~~

1 to the general fund of the district. If the district received supplemental  
2 general state aid in the school year, did not transfer or expend the entire  
3 amount budgeted in the local option budget for the school year, and  
4 determines that it will be necessary to adopt a local option budget in the  
5 ensuing school year, the state board shall determine the ratio of the  
6 amount of supplemental general state aid received to the amount of the  
7 local option budget of the district for the school year and multiply the  
8 total amount of the cash balance remaining in the supplemental general  
9 fund by such ratio. An amount equal to the amount of the product shall  
10 be transferred to the general fund of the district. The amount remaining  
11 in the supplemental general fund may be maintained in such fund or  
12 transferred to the general fund of the district.

13 Sec. 4. K.S.A. 2001 Supp. 72-6410, 72-6433 and 72-6444 are hereby  
14 repealed.

15 Sec. 5. This act shall take effect and be in force from and after its  
16 publication in the statute book.

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