

## SENATE BILL No. 650

By Committee on Ways and Means

3-20

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AN ACT concerning financing of certain postsecondary educational institutions; relating to out-district tuition; amending K.S.A. 13-13a25, 13-13a26, 13-13a27, 13-13a29, 13-13a31, 13-13a32, 13-13a33 and 13-13a34 and K.S.A. 2001 Supp. 19-101a, 71-301a, 71-304, 71-305, 71-306, 71-308, 71-401, 71-402, 71-403, 71-610 and 71-1705 and repealing the existing sections.

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

Section 1. K.S.A. 13-13a25 is hereby amended to read as follows: 13-13a25. (a) As used in K.S.A. 13-13a25 through 13-13a34, and amendments thereto:

(1) "Board of levy" means the board of county commissioners of every county in which there is not located a municipal university and the township trustee, township clerk and township treasurer, acting as a board, of every township within every county in which there is located a municipal university, except that board of levy shall not include a township within a county in which there is located a municipal university which has levied a countywide retailer's sales tax.

(2) "Municipal university" means a municipal university established under the provisions of article 13a of chapter 13 of Kansas Statutes Annotated.

(3) "Municipal university district" means the taxing district of a municipal university.

(4) "Taxing subdivision" means every county in which there is not located a municipal university and every township within every county in which there is located a municipal university, except that taxing subdivision shall not include a township within a county in which there is located a municipal university which has levied a countywide retailer's sales tax.

(5) "State board" means the state board of regents.

(b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

Sec. 2. K.S.A. 13-13a26 is hereby amended to read as follows: 13-13a26. (a) The board of regents of a municipal university, in accordance with rules and regulations of the state board, shall determine and collect an amount of out-district tuition to be charged for each student attending the municipal university whose residence is outside of the municipal uni-

1 versity district.

2 (b) The board of levy of any taxing subdivision charged with payment  
3 of out-district tuition shall levy a tax on all of the taxable property of the  
4 taxing subdivision sufficient to pay all out-district tuition charges author-  
5 ized by this act.

6 (c) The proceeds from the tax levied under authority of this section  
7 shall be deposited in a special fund for payment of out-district tuition.  
8 Upon receiving a statement of charges for out-district tuition the board  
9 of levy shall allow and pay the same promptly from the special fund. If  
10 there is insufficient or no money in the special fund, out-district tuition  
11 shall be paid from the general fund of the taxing subdivision or from the  
12 proceeds of the sale of no-fund warrants issued for the purpose of the  
13 payment of out-district tuition.

14 (d) The total out-district tuition charged by a municipal university  
15 shall be: (1) For the 2000 fiscal year, an amount equal to the number of  
16 duly enrolled out-district students times \$24 for each credit hour of each  
17 such duly enrolled out-district student; (2) for the 2001 fiscal year, an  
18 amount equal to the number of duly enrolled out-district students times  
19 \$18 for each credit hour of each such student; (3) for the 2002 fiscal year  
20 *and the 2003 fiscal year*, an amount equal to the number of duly enrolled  
21 out-district students times \$12 for each credit hour of each such student;  
22 and (4) for the ~~2003~~ 2004 fiscal year, an amount equal to the number of  
23 duly enrolled out-district students time \$6 for each credit hour of each  
24 such student.

25 (e) Out-district tuition shall only be charged for credit hours of stu-  
26 dents if such students, as determined by the state board, have not more  
27 than 64 credit hours from any institution of postsecondary education or  
28 the students have not more than 72 credit hours and are enrolled in  
29 terminal type nursing courses or freshman-sophomore preengineering  
30 courses.

31 (f) Expenditures for out-district tuition shall be exempt from the  
32 budget law of this state to the extent of such payments not anticipated in  
33 the budget of the taxing subdivision.

34 (g) The levy of taxes and the payment of out-district tuition by coun-  
35 ties required under the provisions of this section shall not be subject to  
36 the exercise of home rule by counties under the provisions of article 1 of  
37 chapter 19 of Kansas Statutes Annotated. Counties shall have no power  
38 to exempt from, or effect changes in, the provisions of this section.

39 (h) Taxes levied by townships under the authority of this section shall  
40 be in addition to all other tax levies authorized or limited by law and shall  
41 not be subject to or within the aggregate tax levy limit prescribed by  
42 K.S.A. 79-1962, and amendments thereof.

43 (i) In May of each fiscal year, the board of regents shall notify each

1 board of levy of the approximate amount of out-district tuition which will  
2 be charged to the taxing subdivision in the succeeding fiscal year.

3 (j) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

4 Sec. 3. K.S.A. 13-13a27 is hereby amended to read as follows: 13-  
5 13a27. (a) Out-district tuition shall be based only upon enrollments of  
6 students who are residents of the state of Kansas. For the purpose of  
7 determination of out-district tuition: (1) Persons enrolling in a municipal  
8 university who, if adults, have not been, or if minors, whose parents have  
9 not been, residents of the state of Kansas for six months prior to enroll-  
10 ment for any term or session are nonresidents of the state of Kansas; and  
11 (2) persons enrolling in a municipal university who, if adults, have not  
12 been, or if minors, whose parents have not been, residents of the munic-  
13 ipal university district for six months prior to enrollment for any term or  
14 session are nonresidents of the municipal university district.

15 (b) For the purpose of determining residence of persons, the resi-  
16 dence of minors shall be determined as provided in K.S.A. 72-1046, and  
17 amendments thereto, and of adults as provided in subpart *twenty-third*  
18 of K.S.A. 77-201 and amendments thereto.

19 (c) The state board of regents may adopt rules and regulations pre-  
20 scribing criteria or guidelines for determination of residence of students  
21 and shall make conclusive determination of any residence matter for the  
22 purpose of determination of liability of taxing subdivisions for out-district  
23 tuition.

24 (d) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

25 Sec. 4. K.S.A. 13-13a29 is hereby amended to read as follows: 13-  
26 13a29. (a) The determination of credit hours of duly enrolled out-district  
27 students shall be made at the end of the fifth week of the regular spring  
28 and fall semesters and at the end of the equivalent period for summer  
29 sessions. The determination of credit hours of duly enrolled out-district  
30 students for payments for short-term courses shall be made at such times  
31 as are prescribed by the state board of regents.

32 (b) On or before November 1 and on or before April 1 of each year,  
33 the president and treasurer of a municipal university shall certify under  
34 oath to the state board the total number of duly enrolled credit hours of  
35 out-district students of the municipal university during the current school  
36 term. The state board may require a municipal university to furnish any  
37 additional information deemed necessary by it to carry out the provisions  
38 of this act and shall prescribe such forms, to be approved by the attorney  
39 general, as may be necessary for making such reports.

40 (c) The state board and the post auditor may audit the records of a  
41 municipal university to verify the accuracy of the reports submitted by  
42 the municipal university. The state board may promulgate rules and reg-  
43 ulations for the administration of this act.

1 (d) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

2 Sec. 5. K.S.A. 13-13a31 is hereby amended to read as follows: 13-  
3 13a31. (a) Subject to the provisions of subsection (b), no out-district tu-  
4 tion shall be charged or paid for any student attending a municipal uni-  
5 versity whose residence outside the municipal university district is in a  
6 taxing subdivision in which there is located a community college.

7 (b) The provisions of subsection (a) shall not apply to any such out-  
8 district student when the course of study or program which the student  
9 selects, or a course of study or program which is substantially equivalent  
10 thereto, is not offered in the community college which is located in the  
11 taxing subdivision in which such student resides.

12 (c) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

13 Sec. 6. K.S.A. 13-13a32 is hereby amended to read as follows: 13-  
14 13a32. (a) Subject to the provisions of subsection (b), no out-district tu-  
15 tion shall be charged to or paid by any county in which there is located  
16 a municipal university for any student attending a community college  
17 whose residence outside the community college district is in a county in  
18 which there is located a municipal university.

19 (b) The provisions of subsection (a) shall not apply to any such out-  
20 district student when the course of study or program which the student  
21 selects, or a course of study or program which is substantially equivalent  
22 thereto, is not offered in the municipal university which is located in the  
23 county in which such student resides.

24 (c) The provisions of this section shall expire on June 20, ~~2003~~ 2004.

25 Sec. 7. K.S.A. 13-13a33 is hereby amended to read as follows: 13-  
26 13a33. (a) The state board of regents shall adopt rules and regulations  
27 prescribing criteria or guidelines for the purpose of determining which  
28 courses of study and programs offered in the community colleges are  
29 substantially equivalent to the courses of study and programs offered in  
30 municipal universities. A current, complete list of such courses of study  
31 and programs shall be maintained on file in the office of the state board  
32 of regents, and shall be open for public inspection at any reasonable time.

33 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

34 Sec. 8. K.S.A. 13-13a34 is hereby amended to read as follows: 13-  
35 13a34. (a) No out-district tuition charged by a municipal university shall  
36 be based upon any course or program which is taught in an area vocational  
37 school, an area vocational-technical school, or a technical college under  
38 an agreement with the municipal university and for which payments of  
39 state or federal moneys are made to the area vocational school, area vo-  
40 cational-technical school, or technical college under the provisions of ar-  
41 ticle 44 of chapter 72 of Kansas Statutes Annotated.

42 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

43 Sec. 9. K.S.A. 2001 Supp. 19-101a is hereby amended to read as

1 follows: 19-101a. (a) The board of county commissioners may transact all  
2 county business and perform all powers of local legislation and adminis-  
3 tration it deems appropriate, subject only to the following limitations,  
4 restrictions or prohibitions:

5 (1) Counties shall be subject to all acts of the legislature which apply  
6 uniformly to all counties.

7 (2) Counties may not consolidate or alter county boundaries.

8 (3) Counties may not affect the courts located therein.

9 (4) Counties shall be subject to acts of the legislature prescribing  
10 limits of indebtedness.

11 (5) In the exercise of powers of local legislation and administration  
12 authorized under provisions of this section, the home rule power con-  
13 ferred on cities to determine their local affairs and government shall not  
14 be superseded or impaired without the consent of the governing body of  
15 each city within a county which may be affected.

16 (6) Counties may not legislate on social welfare administered under  
17 state law enacted pursuant to or in conformity with public law No. 271—  
18 74th congress, or amendments thereof.

19 (7) Counties shall be subject to all acts of the legislature concerning  
20 elections, election commissioners and officers and their duties as such  
21 officers and the election of county officers.

22 (8) Counties shall be subject to the limitations and prohibitions im-  
23 posed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto,  
24 prescribing limitations upon the levy of retailers' sales taxes by counties.

25 (9) Counties may not exempt from or effect changes in statutes made  
26 nonuniform in application solely by reason of authorizing exceptions for  
27 counties having adopted a charter for county government.

28 (10) No county may levy ad valorem taxes under the authority of this  
29 section upon real property located within any redevelopment project area  
30 established under the authority of K.S.A. 12-1772, and amendments  
31 thereto, unless the resolution authorizing the same specifically authorized  
32 a portion of the proceeds of such levy to be used to pay the principal of  
33 and interest upon bonds issued by a city under the authority of K.S.A.  
34 12-1774, and amendments thereto.

35 (11) Counties shall have no power under this section to exempt from  
36 any statute authorizing or requiring the levy of taxes and providing sub-  
37 stitute and additional provisions on the same subject, unless the resolution  
38 authorizing the same specifically provides for a portion of the proceeds  
39 of such levy to be used to pay a portion of the principal and interest on  
40 bonds issued by cities under the authority of K.S.A. 12-1774, and amend-  
41 ments thereto.

42 (12) Counties may not exempt from or effect changes in the provi-  
43 sions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

1 (13) Except as otherwise specifically authorized by K.S.A. 12-1,101  
2 through 12-1,109, and amendments thereto, counties may not levy and  
3 collect taxes on incomes from whatever source derived.

4 (14) Counties may not exempt from or effect changes in K.S.A. 19-  
5 430, and amendments thereto.

6 (15) Counties may not exempt from or effect changes in K.S.A. 19-  
7 302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

8 (16) (A) Counties may not exempt from or effect changes in K.S.A.  
9 13-13a26, and amendments thereto.

10 (B) This provision shall expire on June 30, ~~2003~~ 2004.

11 (17) (A) Counties may not exempt from or effect changes in K.S.A.  
12 2001 Supp. 71-301a, and amendments thereto.

13 (B) This provision shall expire on June 30, ~~2003~~ 2004.

14 (18) Counties may not exempt from or effect changes in K.S.A. 19-  
15 15,139, 19-15,140 and 19-15,141, and amendments thereto.

16 (19) Counties may not exempt from or effect changes in the provi-  
17 sions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-  
18 1226, and amendments thereto, or the provisions of K.S.A. 12-1260  
19 through 12-1270 and 12-1276, and amendments thereto.

20 (20) Counties may not exempt from or effect changes in the provi-  
21 sions of K.S.A. 19-211, and amendments thereto.

22 (21) Counties may not exempt from or effect changes in the provi-  
23 sions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

24 (22) Counties may not regulate the production or drilling of any oil  
25 or gas well in any manner which would result in the duplication of reg-  
26 ulation by the state corporation commission and the Kansas department  
27 of health and environment pursuant to chapter 55 and chapter 65 of the  
28 Kansas Statutes Annotated and any rules and regulations adopted pur-  
29 suant thereto. Counties may not require any license or permit for the  
30 drilling or production of oil and gas wells. Counties may not impose any  
31 fee or charge for the drilling or production of any oil or gas well.

32 (23) Counties may not exempt from or effect changes in K.S.A. 79-  
33 41a04, and amendments thereto.

34 (24) Counties may not exempt from or effect changes in K.S.A. 79-  
35 1611, and amendments thereto.

36 (25) Counties may not exempt from or effect changes in K.S.A. 79-  
37 1494, and amendments thereto.

38 (26) Counties may not exempt from or effect changes in subsection  
39 (b) of K.S.A. 19-202, and amendments thereto.

40 (27) Counties may not exempt from or effect changes in subsection  
41 (b) of K.S.A. 19-204, and amendments thereto.

42 (28) Counties may not levy or impose an excise, severance or any  
43 other tax in the nature of an excise tax upon the physical severance and

1 production of any mineral or other material from the earth or water.

2 (29) Counties may not exempt from or effect changes in K.S.A. 79-  
3 2017 or 79-2101, and amendments thereto.

4 (30) Counties may not exempt from or effect changes in K.S.A. 2-  
5 3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219 or 65-171d or  
6 K.S.A. 2001 Supp. 17-5909 or 65-1,178 through 65-1,199, and amend-  
7 ments thereto.

8 (31) Counties may not exempt from or effect changes in K.S.A. 2001  
9 Supp. 80-121, and amendments thereto.

10 (32) Counties may not exempt from or effect changes in K.S.A. 2001  
11 Supp. 19-228, and amendments thereto.

12 (b) Counties shall apply the powers of local legislation granted in  
13 subsection (a) by resolution of the board of county commissioners. If no  
14 statutory authority exists for such local legislation other than that set forth  
15 in subsection (a) and the local legislation proposed under the authority  
16 of such subsection is not contrary to any act of the legislature, such local  
17 legislation shall become effective upon passage of a resolution of the  
18 board and publication in the official county newspaper. If the legislation  
19 proposed by the board under authority of subsection (a) is contrary to an  
20 act of the legislature which is applicable to the particular county but not  
21 uniformly applicable to all counties, such legislation shall become effec-  
22 tive by passage of a charter resolution in the manner provided in K.S.A.  
23 19-101b, and amendments thereto.

24 (c) Any resolution adopted by a county which conflicts with the re-  
25 strictions in subsection (a) is null and void.

26 Sec. 10. K.S.A. 2001 Supp. 71-301a is hereby amended to read as  
27 follows: 71-301a. (a) The board of trustees, in accordance with rules and  
28 regulations of the state board, shall determine an amount of out-district  
29 tuition to be charged for each out-district student attending the com-  
30 munity college. The board of county commissioners of any county charged  
31 with payment of out-district tuition shall levy a tax on all of the taxable  
32 property of the county sufficient to pay all out-district tuition charges  
33 authorized by this act. The proceeds from the tax levied under authority  
34 of this section shall be deposited in a special fund for payment of out-  
35 district tuition. Upon receiving a statement of charges for out-district  
36 tuition, the board of county commissioners shall allow and pay the same  
37 from the special fund within 45 days from the receipt of such statement.  
38 If there is insufficient or no money in the special fund, out-district tuition  
39 shall be paid from the county general fund or from the proceeds of the  
40 sale of no-fund warrants issued for the purpose of the payment of out-  
41 district tuition. If the board of county commissioners fails to pay such  
42 amount at the time required under this subsection, the board of trustees  
43 shall notify the state board of such failure to pay and shall certify to the

1 state board the amount to be paid. Upon receipt by the state board of  
2 such notification, the amount to be paid as certified to the state board  
3 shall become an amount due and owing to the state board. The state  
4 board shall notify the board of county commissioners that this amount is  
5 now due and owing to the state board. If the board of county commis-  
6 sioners fails to pay such amount to the state board within 14 days of the  
7 receipt of such notification, the state board shall initiate proceedings un-  
8 der K.S.A. 75-6201 *et seq.* for the collection of such money. Money paid  
9 to or collected by the state board under this subsection shall be deposited  
10 in the out-district tuition suspense account which is hereby created in the  
11 state treasury. The state board shall pay moneys from this account, in  
12 accordance with rules and regulations of the state board, to the com-  
13 munity colleges entitled to receive such money.

14 (b) The total out-district tuition charged by a community college shall  
15 be: (1) For the 2000 fiscal year, an amount equal to the number of duly  
16 enrolled out-district students times \$24 for each credit hour of each such  
17 student; (2) for the 2001 fiscal year, an amount equal to the number of  
18 duly enrolled out-district students times \$18 for each credit hour of each  
19 such student; (3) for the 2002 fiscal year *and the 2003 fiscal year*, an  
20 amount equal to the number of duly enrolled out-district students times  
21 \$12 for each credit hour of each such student; and (4) for the ~~2003~~ 2004  
22 fiscal year, an amount equal to the number of duly enrolled out-district  
23 students times \$6 for each credit hour of each such student.

24 (c) In May of each fiscal year, the board of trustees shall notify the  
25 board of county commissioners of the approximate amount of out-district  
26 tuition which will be charged to the county in the succeeding fiscal year.

27 (d) Expenditures for out-district tuition shall be exempt from the  
28 budget law of this state to the extent of such payments not anticipated in  
29 the budget of the county.

30 (e) The provisions of this section shall take effect and be in force on  
31 July 1, 1999, and shall expire on June 30, ~~2003~~ 2004.

32 Sec. 11. K.S.A. 2001 Supp. 71-304 is hereby amended to read as  
33 follows: 71-304. (a) Notwithstanding any provision contained in chapter  
34 71 of Kansas Statutes Annotated to the contrary, and subject to the pro-  
35 visions of K.S.A. 71-305, and amendments thereto, no out-district tuition  
36 shall be charged or paid for any student attending a community college  
37 whose residence outside the community college district is in another com-  
38 munity college district.

39 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

40 Sec. 12. K.S.A. 2001 Supp. 71-305 is hereby amended to read as  
41 follows: 71-305. (a) The provisions of K.S.A. 71-304, and amendments  
42 thereto, do not apply to any out-district student when the course of study  
43 or program which the student selects, or a course of study or program



1 which is substantially equivalent thereto, is not offered in the community  
2 college of the district in which such student resides.

3 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

4 Sec. 13. K.S.A. 2001 Supp. 71-306 is hereby amended to read as  
5 follows: 71-306. (a) The state board of regents shall adopt rules and reg-  
6 ulations prescribing criteria or guidelines for the purpose of determining  
7 which courses of study and programs offered in the community colleges  
8 are substantially equivalent. A current, complete list of such courses of  
9 study and programs shall be maintained on file in the office of the state  
10 board of regents, and shall be open for public inspection at any reasonable  
11 time.

12 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

13 Sec. 14. K.S.A. 2001 Supp. 71-308 is hereby amended to read as  
14 follows: 71-308. (a) No out-district tuition charges shall be based upon  
15 credit hours in any subject or course the principal part of which is taught  
16 at a location outside the county of the main campus of a community  
17 college, unless the location of such subject or course is specifically au-  
18 thorized by the state board of regents.

19 (b) (1) No out-district tuition charges shall be based upon credit  
20 hours in any subject or course which is taught in a county in which the  
21 main campus of a state educational institution is located, unless the teach-  
22 ing of such subject or course is specifically authorized by the chief ex-  
23 ecutive officer of the state educational institution or by a designee of the  
24 chief executive officer. The chief executive officer of each state educa-  
25 tional institution may designate and authorize a person or committee to  
26 act on behalf of the chief executive officer in granting the authorizations  
27 required by this subsection. No authorization required by this subsection  
28 shall be considered to be or construed in any manner as an agreement  
29 provided for by subsection (c).

30 (2) For the purposes of this subsection, the term “main campus of a  
31 state educational institution” as applied to Kansas state university of ag-  
32 riculture and applied science means and includes the campus of the uni-  
33 versity located in Riley county and the campus of the university’s college  
34 of technology located in Saline county.

35 (3) The provisions of this subsection are subject to the provisions of  
36 subsection (c).

37 (c) No out-district tuition charges shall be based upon credit hours  
38 in any subject or course all or the principal part of which is taught at Fort  
39 Hays state university or at Wichita state university under an agreement  
40 for the teaching of such subject or course entered into by a community  
41 college and either such university. An agreement entered into under the  
42 provisions of this subsection for the teaching of a subject or course by a  
43 community college at Fort Hays state university or at Wichita state uni-

1 versity shall constitute the authorization required by subsection (b) for  
2 the teaching of such subject or course, and no separate authorization  
3 under subsection (b) shall be required.

4 (d) No out-district tuition charges shall be based upon any course or  
5 program if such course or program is taught in an area vocational school,  
6 an area vocational-technical school, or a technical college under an agree-  
7 ment with a community college and for which payments of state or federal  
8 moneys are made to the area vocational school, the area vocational-techni-  
9 cal school, or the technical college under the provisions of article 44 of  
10 chapter 72 of Kansas Statutes Annotated.

11 (e) No out-district tuition charges shall be based upon any motorcycle  
12 driver safety course conducted by a community college.

13 (f) The provisions of this section shall take effect and be in force on  
14 July 1, 1999, and shall expire on June 30, ~~2003~~ 2004.

15 Sec. 15. K.S.A. 2001 Supp. 71-401 is hereby amended to read as  
16 follows: 71-401. (a) Persons enrolling in a community college who, if  
17 adults, have not been, or if minors, whose parents have not been residents  
18 of the county in which is located the principal campus of the community  
19 college for at least six months prior to enrollment for any term or session  
20 are nonresidents of the community college district for the purpose of  
21 determining liability of counties for payment of out-district tuition.

22 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

23 Sec. 16. K.S.A. 2001 Supp. 71-402 is hereby amended to read as  
24 follows: 71-402. (a) For the purpose of determining the county of resi-  
25 dence of persons, residence of minors shall be determined as provided  
26 in K.S.A. 72-1046 and amendments thereto and of adults as provided in  
27 subpart *Twenty-third* of K.S.A. 77-201 and amendments thereto.

28 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

29 Sec. 17. K.S.A. 2001 Supp. 71-403 is hereby amended to read as  
30 follows: 71-403. (a) The state board of regents may adopt rules and reg-  
31 ulations prescribing criteria or guidelines for determination of residence  
32 of students for the purpose of determining liability of counties for out-  
33 district tuition of students in community colleges. The state board may  
34 make conclusive determination of any residence matter for the purpose  
35 of determination of out-district tuition.

36 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

37 Sec. 18. K.S.A. 2001 Supp. 71-610 is hereby amended to read as  
38 follows: 71-610. (a) Notwithstanding any provision contained in chapter  
39 71 of Kansas Statutes Annotated to the contrary, whenever there are two  
40 community college districts located within one county, no out-district  
41 tuition shall be charged for any student residing in such county and at-  
42 tending either such community college.

43 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

1 Sec. 19. K.S.A. 2001 Supp. 71-1705 is hereby amended to read as  
2 follows: 71-1705. (a) Notwithstanding any provision contained in chapter  
3 71 of Kansas Statutes Annotated to the contrary, whenever any area vo-  
4 cational school or area vocational-technical school consolidates with a  
5 community college in accordance with the provisions of this act, no out-  
6 district tuition shall be charged for any student enrolled in any vocational  
7 education course or program offered by the community college if such  
8 course or program was taught in the area vocational school or area vo-  
9 cational-technical school immediately prior to the consolidation of such  
10 area vocational school or area vocational-technical school with such com-  
11 munity college and as a result of such consolidation such course or pro-  
12 gram is now being offered by the community college.

13 (b) The provisions of this section shall expire on June 30, ~~2003~~ 2004.

14 Sec. 20. K.S.A. 13-13a25, 13-13a26, 13-13a27, 13-13a29, 13-13a31,  
15 13-13a32, 13-13a33 and 13-13a34 and K.S.A. 2001 Supp. 19-101a, 71-  
16 301a, 71-304, 71-305, 71-306, 71-308, 71-401, 71-402, 71-403, 71-610 and  
17 71-1705 are hereby repealed.

18 Sec. 21. This act shall take effect and be in force from and after its  
19 publication in the statute book.

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