

HOUSE BILL No. 2105

By Representative Owens

1-29

AN ACT concerning school districts; relating to an additional enhancement budget.

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

Section 1. (a) The board of education of any district may adopt an additional enhancement budget in each school year if the district is at the district's maximum prescribed percentage of the local option budget pursuant to K.S.A. 72-6433, and amendments thereto.

(b) (1) Subject to the provisions of paragraph (2), the adoption of an additional enhancement budget under authority of this subsection shall require a majority vote of the members of the board and shall require no other procedure, authorization or approval.

(2) In lieu of utilizing the authority granted by paragraph (1) for adoption of an additional enhancement budget, the board of a district may pass a resolution authorizing adoption of such a budget and publish such resolution once in a newspaper having general circulation in the district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,
_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt an additional enhancement budget in each school year for a period of time not to exceed _____ years in an amount not to exceed _____% of the amount of state financial aid determined for the current school year. The additional enhancement budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether adoption of the additional enhancement budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board

1 of education of the school district.

2 CERTIFICATE

3 This is to certify that the above resolution was duly adopted by the
4 board of education of Unified School District No. _____,
5 County, Kansas, on the _____ day of _____, _____.

6 _____
7 Clerk of the board of education.

8 All of the blanks in the resolution shall be appropriately filled. The
9 blank preceding the word "years" shall be filled with a specific number,
10 and the blank preceding the percentage symbol shall be filled with a
11 specific number. No word shall be inserted in either of the blanks. The
12 resolution shall be published once in a newspaper having general circula-
13 tion in the school district. If no petition as specified above is filed in
14 accordance with the provisions of the resolution, the board may adopt an
15 additional enhancement budget. If a petition is filed as provided in the
16 resolution, the board may notify the county election officer of the date
17 of an election to be held to submit the question of whether adoption of
18 an additional enhancement budget shall be authorized. If the board fails
19 to notify the county election officer within 30 days after a petition is filed,
20 the resolution shall be deemed abandoned and no like resolution shall be
21 adopted by the board within the nine months following publication of the
22 resolution. If the board of any district refrains from adopting an additional
23 enhancement budget in any one or more school years or refrains from
24 budgeting the total amount authorized for any one or more school years,
25 the authority of such district to adopt an additional enhancement budget
26 shall not be extended by such refrainment beyond the period specified
27 in the resolution authorizing adoption of such budget, nor shall the
28 amount authorized to be budgeted in any succeeding school year be in-
29 creased by such refrainment. The board of any district that has been
30 authorized to adopt an additional enhancement budget under this subpart
31 and levied a tax under authority of section 2, and amendments thereto,
32 may initiate, at any time after the final levy is certified to the county clerk
33 under any current authorization, procedures to renew its authority to
34 adopt an additional enhancement budget in the manner specified in this
35 paragraph or may utilize the authority granted by paragraph (1). As used
36 in this paragraph, the term "authorized to adopt an additional enhance-
37 ment budget" means that a district has adopted a resolution under this
38 paragraph, has published the same, and either that the resolution was not
39 protested or that it was protested and an election was held by which the
40 adoption of an additional enhancement budget was approved.

41 (c) (1) There is hereby established in every district that adopts an
42 additional enhancement budget a fund which shall be called the addi-
43 tional enhancement fund. The fund shall consist of all amounts deposited

1 therein or credited thereto according to law.

2 (2) Amounts in the additional enhancement fund may be expended
3 for any purpose for which expenditures from the general fund are au-
4 thorized or may be transferred to the general fund of the district or to
5 any program weighted fund or categorical fund of the district.

6 (d) The proceeds from the tax levied by a district under the authority
7 of this section shall be deposited in the additional enhancement fund of
8 the district. An amount equal to 33% of all moneys credited to the ad-
9 ditional enhancement fund of the district shall be remitted to the state
10 treasurer. Upon receipt of any such remittance, the state treasurer shall
11 deposit the same in the state treasury to the credit of the state additional
12 enhancement budget fund, which is hereby created. All expenditures
13 from the state additional enhancement budget fund shall be made in
14 accordance with appropriation acts upon warrants of the director of ac-
15 counts and reports issued pursuant to vouchers approved by the state
16 board of education or by a person or persons designated by the board.

17 Sec. 2. (a) In each school year, the board of every district that has
18 adopted an additional enhancement budget may levy an ad valorem tax
19 on the taxable tangible property of the district for the purpose of financing
20 the district's additional enhancement budget.

21 (b) The proceeds from the tax levied by a district under authority of
22 this section shall be deposited in the additional enhancement fund of the
23 district.

24 (c) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-
25 1964b, and amendments thereto.

26 (d) The provisions of this section shall take effect and be in force
27 from and after July 1, 2003.

28 Sec. 3. (a) The board of education of a school district may apply for
29 a grant from the state additional enhancement budget fund for any ed-
30 ucational purpose the district deems necessary. To be eligible to receive
31 a grant from such fund, the board of education shall be at the district's
32 maximum prescribed percentage of the local option budget pursuant to
33 K.S.A. 72-6433, and amendments thereto.

34 (b) The board of education of a school district shall submit to the
35 state board of education an application for a grant and a description of
36 the use of funds. The application and description shall be prepared in
37 such form and manner as the state board shall require and shall be sub-
38 mitted at a time to be determined and specified by the state board.

39 (c) The state board of education shall adopt rules and regulations for
40 the administration of the additional enhancement grant program and
41 shall:

42 (1) Establish standards and criteria for evaluating and approving ap-
43 plications of school districts for grants;

1 (2) be responsible for awarding grants to school districts; and
2 (3) request of and receive from each school district which is awarded
3 a grant information with regard to the effectiveness of the program.

4 (d) Subject to the availability of appropriations for additional en-
5 hancement grants requested by school districts, and within the limits of
6 any such appropriations, the state board of education shall determine the
7 amount of grants to be awarded school districts.

8 Sec. 4. This act shall take effect and be in force from and after its
9 publication in the statute book.

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