

1 [As Amended by Senate Committee of the Whole]

2
3 As Amended by Senate Committee

4
5 As Amended by House Committee

6 *Session of 2003*

7
8 **HOUSE BILL No. 2231**

9
10 By Committee on Education

11
12 2-6

13
14 ~~AN ACT concerning schools; relating to child care facilities; amending~~
15 ~~K.S.A. 72-8236 and repealing the existing section.~~

16 **AN ACT concerning schools and school districts; relating to the**
17 **powers and duties of local boards of education; amending K.S.A.**
18 **72-6407, 72-67,115, 72-8801, 72-8804, ~~72-8805~~, 72-8808 and 72-**
19 **8810 and repealing the existing section; also repealing ~~72-6407a~~,**
20 **[K.S.A. 72-6407a and 72-7108a] 72-7108a, 72-8807 and 72-8809.**

21
22 *Be it enacted by the Legislature of the State of Kansas:*

23 ~~Section 1. K.S.A. 72-8236 is hereby amended to read as follows: 72-~~
24 ~~8236. (a) The board of education of any school district may: (1) Establish,~~
25 ~~operate and maintain a child care facility; (2) enter into cooperative or~~
26 ~~interlocal agreements with one or more other boards for the establish-~~
27 ~~ment, operation and maintenance of a child care facility; (3) contract with~~
28 ~~private, nonprofit corporations or associations or with any public or pri-~~
29 ~~vate agency or institution, whether located within or outside the state, for~~
30 ~~the establishment, operation and maintenance of a child care facility; and~~
31 ~~(4) except as provided in subsection (d), prescribe and collect fees for~~
32 ~~providing care at a child care facility.~~

33 ~~— (b) Fees for providing care at a child care facility established under~~
34 ~~authority of this section shall be prescribed and collected only to recover~~
35 ~~the costs incurred as a result of and directly attributable to the establish-~~
36 ~~ment, operation and maintenance of the child care facility. Revenues from~~
37 ~~fees collected by a board under this section shall be deposited in the~~
38 ~~general fund of the school district and shall be considered reimburse-~~
39 ~~ments to the district for the purpose of the school district finance and~~
40 ~~quality performance act and may be expended whether the same have~~
41 ~~been budgeted or not and amounts so expended shall not be considered~~
42 ~~operating expenses.~~

43 ~~— (c) Every school district which establishes, operates and maintains a~~

1 ~~child care facility shall be subject to the provisions contained in article 5~~
2 ~~of chapter 65 of Kansas Statutes Annotated.~~

3 ~~—(d) Fees shall not be prescribed or collected for children who may~~
4 ~~receive a free appropriate public education pursuant to K.S.A. 72-962,~~
5 ~~and amendments thereto.~~

6 ~~—(e) As used in this section, the term: (1) “Child” means any child who~~
7 ~~is three years of age or older, and any infant or toddler whose parent or~~
8 ~~parents are pupils or employees of a school district which establishes,~~
9 ~~operates and maintains, or cooperates in the establishment, operation and~~
10 ~~maintenance of, a child care facility under authority of this act.~~

11 ~~—(2) “Child care facility” shall include a preschool established, oper-~~
12 ~~ated and maintained by a school district.~~

13 ~~Sec. 2. K.S.A. 72-8236 is hereby repealed.~~

14 **Section 1. K.S.A. 72-6407 is hereby amended to read as follows:**
15 **72-6407. (a) “Pupil” means any person who is regularly enrolled in**
16 **a district and attending kindergarten or any of the grades one**
17 **through 12 maintained by the district or who is regularly enrolled**
18 **in a district and attending kindergarten or any of the grades one**
19 **through 12 in another district in accordance with an agreement**
20 **entered into under authority of K.S.A. 72-8233, and amendments**
21 **thereto, or who is regularly enrolled in a district and attending spe-**
22 **cial education services provided for preschool-aged exceptional**
23 **children by the district. Except as otherwise provided in this sub-**
24 **section, a pupil in attendance full time shall be counted as one pupil.**
25 **A pupil in attendance part time shall be counted as that proportion**
26 **of one pupil (to the nearest $\frac{1}{10}$) that the pupil’s attendance bears to**
27 **full-time attendance. A pupil attending kindergarten shall be**
28 **counted as $\frac{1}{2}$ pupil. A pupil enrolled in and attending an institution**
29 **of postsecondary education which is authorized under the laws of**
30 **this state to award academic degrees shall be counted as one pupil**
31 **if the pupil’s postsecondary education enrollment and attendance**
32 **together with the pupil’s attendance in either of the grades 11 or 12**
33 **is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that pro-**
34 **portion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the**
35 **pupil’s postsecondary education attendance and attendance in**
36 **grade 11 or 12, as applicable, bears to full-time attendance. A pupil**
37 **enrolled in and attending an area vocational school, area voca-**
38 **tional-technical school or approved vocational education program**
39 **shall be counted as one pupil if the pupil’s vocational education**
40 **enrollment and attendance together with the pupil’s attendance in**
41 **any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the pupil**
42 **shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$)**
43 **that the total time of the pupil’s vocational education attendance**

1 *and attendance in any of grades nine through 12 bears to full-time*
2 *attendance. A pupil enrolled in a district and attending special ed-*
3 *ucation and related services, except special education and related*
4 *services for preschool-aged exceptional children, provided for by*
5 *the district shall be counted as one pupil. A pupil enrolled in a*
6 *district and attending special education and related services for pre-*
7 *school-aged exceptional children provided for by the district shall*
8 *be counted as 1/2 pupil. A preschool-aged at-risk pupil enrolled in a*
9 *district and receiving services under an approved at-risk pupil as-*
10 *sistance plan maintained by the district shall be counted as 1/2 pupil.*
11 *A pupil in the custody of the secretary of social and rehabilitation*
12 *services and enrolled in unified school district No. 259, Sedgwick*
13 *county, Kansas, but housed, maintained, and receiving educational*
14 *services at the Judge James V. Riddel Boys Ranch, shall be counted*
15 *as two pupils. A pupil residing at the Flint Hills job corps center*
16 *shall not be counted. A pupil confined in and receiving educational*
17 *services provided for by a district at a juvenile detention facility*
18 *shall not be counted. A pupil enrolled in a district but housed, main-*
19 *tained, and receiving educational services at a state institution shall*
20 *not be counted.*

21 *(b) "Preschool-aged exceptional children" means exceptional*
22 *children, except gifted children, who have attained the age of three*
23 *years but are under the age of eligibility for attendance at*
24 *kindergarten.*

25 *(c) "At-risk pupils" means pupils who are eligible for free meals*
26 *under the national school lunch act and who are enrolled in a dis-*
27 *trict which maintains an approved at-risk pupil assistance plan.*

28 *(d) "Preschool-aged at-risk pupil" means an at-risk pupil who*
29 *has attained the age of four years, is under the age of eligibility for*
30 *attendance at kindergarten, and has been selected by the state*
31 *board in accordance with guidelines consonant with guidelines gov-*
32 *erning the selection of pupils for participation in head start pro-*
33 *grams. The state board shall select not more than 3,756 preschool-*
34 *aged at-risk pupils to be counted in the 2001-02 school year and not more*
35 *than 5,500 preschool-aged at-risk pupils to be counted in any school*
36 *year thereafter.*

37 *(e) "Enrollment" means: (1) For districts scheduling the school*
38 *days or school hours of the school term on a trimestral or quarterly*
39 *basis, the number of pupils regularly enrolled in the district on*
40 *September 20 plus the number of pupils regularly enrolled in the*
41 *district on February 20 less the number of pupils regularly enrolled*
42 *on February 20 who were counted in the enrollment of the district*
43 *on September 20; and for districts not specified in this clause (1),*

1 *the number of pupils regularly enrolled in the district on September*
2 *20; (2) if enrollment in a district in any school year has decreased*
3 *from enrollment in the preceding school year, enrollment of the*
4 *district in the current school year means whichever is the greater*
5 *of (A) enrollment in the preceding school year minus enrollment in*
6 *such school year of preschool-aged at-risk pupils, if any such pupils*
7 *were enrolled, plus enrollment in the current school year of pre-*
8 *school-aged at-risk pupils, if any such pupils are enrolled, or (B)*
9 *the sum of enrollment in the current school year of preschool-aged*
10 *at-risk pupils, if any such pupils are enrolled and the average*
11 *(mean) of the sum of (i) enrollment of the district in the current*
12 *school year minus enrollment in such school year of preschool-aged*
13 *at-risk pupils, if any such pupils are enrolled and (ii) enrollment in*
14 *the preceding school year minus enrollment in such school year of*
15 *preschool-aged at-risk pupils, if any such pupils were enrolled and*
16 *(iii) enrollment in the school year next preceding the preceding*
17 *school year minus enrollment in such school year of preschool-aged*
18 *at-risk pupils, if any such pupils were enrolled; or (3) the number*
19 *of pupils as determined under K.S.A. 72-6447, and amendments*
20 *thereto.*

21 (f) *“Adjusted enrollment” means enrollment adjusted by adding*
22 *at-risk pupil weighting, program weighting, low enrollment weight-*
23 *ing, if any, correlation weighting, if any, school facilities weighting,*
24 *if any, ancillary school facilities weighting, if any, special education*
25 *and related services weighting, and transportation weighting to*
26 *enrollment.*

27 (g) *“At-risk pupil weighting” means an addend component as-*
28 *signed to enrollment of districts on the basis of enrollment of at-risk*
29 *pupils.*

30 (h) *“Program weighting” means an addend component assigned*
31 *to enrollment of districts on the basis of pupil attendance in edu-*
32 *cational programs which differ in cost from regular educational*
33 *programs.*

34 (i) *“Low enrollment weighting” means an addend component*
35 *assigned to enrollment of districts having under 1,725 enrollment*
36 *on the basis of costs attributable to maintenance of educational*
37 *programs by such districts in comparison with costs attributable to*
38 *maintenance of educational programs by districts having 1,725 or*
39 *over enrollment.*

40 (j) *“School facilities weighting” means an addend component*
41 *assigned to enrollment of districts on the basis of costs attributable*
42 *to commencing operation of new school facilities. School facilities*
43 *weighting may be assigned to enrollment of a district only if the*

1 *district has adopted a local option budget and budgeted therein the*
2 *total amount authorized for the school year. School facilities*
3 *weighting may be assigned to enrollment of the district only in the*
4 *school year in which operation of a new school facility is com-*
5 *menced and in the next succeeding school year.*

6 *(k) “Transportation weighting” means an addend component*
7 *assigned to enrollment of districts on the basis of costs attributable*
8 *to the provision or furnishing of transportation.*

9 *(l) “Correlation weighting” means an addend component as-*
10 *signed to enrollment of districts having 1,725 or over enrollment on*
11 *the basis of costs attributable to maintenance of educational pro-*
12 *grams by such districts as a correlate to low enrollment weighting*
13 *assigned to enrollment of districts having under 1,725 enrollment.*

14 *(m) “Ancillary school facilities weighting” means an addend*
15 *component assigned to enrollment of districts to which the provi-*
16 *sions of K.S.A. 72-6441, and amendments thereto, apply on the basis*
17 *of costs attributable to commencing operation of new school facil-*
18 *ities. Ancillary school facilities weighting may be assigned to en-*
19 *rollment of a district only if the district has levied a tax under au-*
20 *thority of K.S.A. 72-6441, and amendments thereto, and remitted*
21 *the proceeds from such tax to the state treasurer. Ancillary school*
22 *facilities weighting is in addition to assignment of school facilities*
23 *weighting to enrollment of any district eligible for such weighting.*

24 *(n) “Juvenile detention facility” means ~~any community juvenile~~*
25 *corrections center or facility; (1) Any secure public or private facility*
26 *which is used for the lawful custody of accused or adjudicated juvenile*
27 *offenders and which shall not be a jail;*

28 *(2) any level VI treatment facility licensed by the Kansas department*
29 *of health and environment which is a psychiatric residential treatment*
30 *facility for individuals under the age of 21 which conforms with the reg-*
31 *ulations of the centers for medicare/medicaid services and the joint com-*
32 *mission on accreditation of health care organizations governing such fa-*
33 *cilities; and*

34 *(3) the Forbes Juvenile Attention Facility, the Sappa Valley*
35 *Youth Ranch of Oberlin, Salvation Army/Koch Center Youth Serv-*
36 *ices, the Clarence M. Kelley Youth Center, the Clarence M. Kelley*
37 *Transitional Living Center, Trego County Secure Care Center, St.*
38 *Francis Academy at Atchison, St. Francis Academy at Ellsworth, St.*
39 *Francis Academy at Salina, St. Francis Center at Salina, King’s*
40 *Achievement Center, and Liberty Juvenile Services and Treatment.*

41 *(o) “Special education and related services weighting” means*
42 *an addend component assigned to enrollment of districts on the ba-*
43 *sis of costs attributable to provision of special education and related*

1 **services for pupils determined to be exceptional children.**

2 **Sec. 2. K.S.A. 72-67,115 is hereby amended to read as follows:**
 3 **72-67,115. (a) The board of any unified education of any school district**
 4 **may:**

5 (1) **Offer and teach courses and conduct preschool programs for**
 6 **children under the age** ~~provided by law for enrollment in~~ **of eligibility**
 7 **to attend kindergarten.**

8 (2) **Enter into cooperative or interlocal agreements with one or more**
 9 **other boards for the establishment, operation and maintenance of such**
 10 **preschool programs.**

11 (3) **Contract with private, nonprofit corporations or associations or**
 12 **with any public or private agency or institution, whether located within**
 13 **or outside the state, for the establishment, operation and maintenance of**
 14 **such preschool programs.**

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

16 (b) **Fees for providing preschool programs shall be prescribed and**
 17 **collected only to recover the costs incurred as a result of and directly**
 18 **attributable to the establishment, operation and maintenance of the pre-**
 19 **school programs. Revenues from fees collected by a board under this sec-**
 20 **tion shall be deposited in the general fund of the school district and shall**
 21 **be considered reimbursements to the district for the purpose of the school**
 22 **district finance and quality performance act and may be expended**
 23 **whether the same have been budgeted or not and amounts so expended**
 24 **shall not be considered operating expenses.**

25 **Sec. 3. K.S.A. 72-8801 is hereby amended to read as follows:**

26 **72-8801. (a) The board of education of any school district may make**
 27 **an annual tax levy at a mill rate not to exceed the statutorily pre-**
 28 **scribed mill rate for a period of not to exceed five years upon the taxable**
 29 **tangible property in the school district for the purposes specified in this**
 30 **act [a period of not to exceed five years for] the purpose of providing**
 31 **revenue for the capital outlay fund to finance expenditures authorized by**
 32 **K.S.A. 72-8804, and amendments thereto, and for the purpose of paying**
 33 **a portion of the principal and interest on bonds issued by cities**
 34 **under the authority of K.S.A. 12-1774, and amendments thereto, for**
 35 **the financing of redevelopment projects upon property located**
 36 **within the school district. No such levy shall be made under this act**
 37 **until a resolution is adopted by the board of education in the fol-**
 38 **lowing form:**

39 **Unified School District No. _____,**

40 _____ **County, Kansas.**

41 **RESOLUTION**

42 **Be It Resolved that:**

43 **The above-named school board shall be authorized to make an annual tax levy for**

1 a period not to exceed _____ years [for a period not to exceed _____ years] in an
 2 amount not to exceed _____ mills upon the taxable tangible property in the school
 3 district for the purpose of acquisition, construction, reconstruction, repair, remodeling,
 4 additions to, furnishing and equipping of buildings necessary for school district purposes,
 5 including housing and boarding pupils enrolled in an area vocational school operated under
 6 the board, architectural expenses incidental thereto, the acquisition of building sites, the
 7 undertaking and maintenance of asbestos control projects, the acquisition of school buses
 8 and the acquisition of other equipment _____ and for the purpose of paying a
 9 portion of the principal and interest on bonds issued by cities under the authority
 10 of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment pro-
 11 jects upon property located within the school district. The tax levy authorized by
 12 this resolution may be made; unless a petition in opposition to the same, signed by
 13 not less than 10% of the qualified electors of the school district, is filed with the
 14 county election officer of the home county of the school district within 40 days after
 15 the last publication of this resolution. ~~In the event~~ If a valid petition is filed, the county
 16 election officer shall submit the question of whether the tax levy shall be authorized
 17 to the electors in the school district at an election called for ~~the~~ such purpose or at
 18 the next general election, as is specified by the board of education of the above school
 19 district.

20 **CERTIFICATE**

21 *This is to certify that the above resolution was duly adopted by the board of*
 22 *education of Unified School District No. _____, _____ County, Kansas, on*
 23 *the _____ day of _____, 19 _____.*

24 _____
 25 *Clerk of the above board of education.*

26 **All of the blanks in the above resolution shall be appropriately**
 27 **filled.** The blank preceding the word “years” shall be filled with a specific
 28 number, and the blank preceding the word “mills” shall be filled with a
 29 specific number, and no word shall be inserted in either of the blanks.
 30 **The resolution shall be published at least once a week for two con-**
 31 **secutive weeks in a newspaper having general circulation in the**
 32 **school district. If no petition as specified above is filed in accord-**
 33 **ance with the provisions of the resolution, the board of education**
 34 **may make the tax levy specified in the resolution. If a valid petition**
 35 **is filed as provided in the resolution, the board of education may**
 36 **notify the county election officer of the date of an election to be**
 37 **held to submit the question of whether the tax levy shall be author-**
 38 **ized. If the board of education fails to notify the county election**
 39 **officer within 60 days after a petition is filed, the resolution shall**
 40 **be deemed abandoned and no like resolution shall be adopted by**
 41 **the board of education within the nine months following the first**
 42 **publication of the resolution.**

43 (b) *As used in this act K.S.A. 72-8801 et seq., and amendments*

1 *thereto:*

2 (1) **“Unconditionally authorized to make a capital outlay tax**
3 **levy” means that the school district has adopted a resolution under**
4 **this section, has published the same, and either that the resolution**
5 **was not protested or that it was protested and an election has been**
6 **held by which the tax levy specified in the resolution was approved;**

7 (2) **“Statutorily prescribed mill rate” means four mills or the**
8 **mill rate necessary to produce the same amount of money that**
9 **would have been produced by a levy of four mills in the 1988-89**
10 **school year;** *The provisions of this paragraph shall be subject to K.S.A.*
11 *2002 Supp. 79-5040, and amendments thereto.*

12 (3) **“Asbestos control project” means any activity which is nec-**
13 **essary or incidental to the control of asbestos-containing material**
14 **in buildings of school districts and includes, but not by way of lim-**
15 **itation, any activity undertaken for the removal or encapsulation**
16 **of asbestos-containing material, for any remodeling, renovation, re-**
17 **placement, rehabilitation or other restoration necessitated by such**
18 **removal or encapsulation, for conducting inspections, reinspections**
19 **and periodic surveillance of buildings, performing response actions,**
20 **and developing, implementing and updating operations and main-**
21 **tenance programs and management plans;**

22 (4) **“Asbestos” means the asbestiform varieties of chrysotile**
23 **(serpentine), crocidolite (riebeckite), amosite (cummingtonitegru-**
24 **nerite), anthophyllite, tremolite, and actinolite;** ~~and~~

25 (5) **“Asbestos-containing material” means any material or prod-**
26 **uct which contains more than 1% asbestos.**

27 (6) **“Utility services” means utility services provided to school facili-**
28 **ties including, but not limited to, gas, electric, water, telephone, sewage**
29 **and solid waste disposal.**

30 (7) **“Insurance” means property, fire, casualty and liability insurance.**

31 **Sec. 4. K.S.A. 72-8804 is hereby amended to read as follows:**
32 **72-8804. (a) If the resolution adopted under K.S.A. 72-8801, and amend-**
33 **ments thereto, so specified, any moneys in the capital outlay fund of**
34 **any school district and any moneys received from issuance of bonds**
35 **under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be**
36 **used for the purpose of:**

37 (1) **The acquisition, construction, reconstruction, repair, re-**
38 **modeling, additions to, furnishing and equipping of buildings nec-**
39 **essary for school district purposes, including housing and boarding**
40 **pupils enrolled in an area vocational school operated under the**
41 **board of education; and architectural expenses incidental thereto;**

42 (2) **The acquisition of building sites;**

43 (3) **The undertaking and maintenance of asbestos control pro-**

1 ~~jects:~~

2 (4) ~~The acquisition of school buses and~~

3 (5) ~~The acquisition of computers, computer software and other tech-~~
4 ~~nology expenses.~~

5 (6) ~~The acquisition of other equipment.~~

6 (7) ~~Cost of utility services.~~

7 (8) ~~Insurance premiums.~~

8 (b) ~~The authority to levy a tax or issue bonds pursuant to K.S.A. 72-~~
9 ~~8801 et seq., and amendments thereto, for the purposes specified in par-~~
10 ~~agraphs (5), (7) and (8) of subsection (a) shall expire on June 30, 2006.~~

11 (c) ~~The board of education of any school district is hereby au-~~
12 ~~thorized to may invest any portion of the capital outlay fund of the~~
13 ~~school district which is not currently needed in investments au-~~
14 ~~thorized by K.S.A. 12-1675, and amendments thereto, in the manner~~
15 ~~prescribed therein or may invest the same in direct obligations of~~
16 ~~the United States government maturing or redeemable at par and~~
17 ~~accrued interest within three years from date of purchase, the prin-~~
18 ~~cipal and interest whereof is guaranteed by the government of the~~
19 ~~United States. All interest received on any such investment shall~~
20 ~~upon receipt thereof be credited to the capital outlay fund.~~

21 ~~Sec. 5. K.S.A. 72-8805 is hereby amended to read as follows:~~
22 ~~72-8805. Any school district which is unconditionally authorized to~~
23 ~~make a capital outlay tax levy, in lieu of making all or part of such~~
24 ~~tax levy, may issue and sell general obligation bonds as now pro-~~
25 ~~vided by law for the issuance of general obligation bonds for build-~~
26 ~~ings necessary for school district purposes, including housing and~~
27 ~~boarding pupils enrolled in an area vocational school operated un-~~
28 ~~der the board of education of the school district, except that such~~
29 ~~bonds shall be issued to mature in not more than five years and except~~
30 ~~that no election shall be required. In the event that if bonds are issued~~
31 ~~under authority of this section, the amount of the bonds which may~~
32 ~~be issued shall be determined as follows:~~

33 ~~—(a) Subject to the provisions of subsection (b), the amount of~~
34 ~~the bonds shall not exceed the amount of the product which results~~
35 ~~from multiplying the statutorily prescribed mill rate times five times~~
36 ~~the assessed valuation of the taxable tangible property in the school~~
37 ~~district at the time the bonds are issued, less the sum of all amounts~~
38 ~~specified in subsections (c), (d) and (e) of this section.~~

39 ~~—(b) If the resolution adopted under K.S.A. 72-8801, and amend-~~
40 ~~ments thereto, specified a lesser mill rate than the statutorily pre-~~
41 ~~scribed mill rate or a lesser number of years than five, the respective~~
42 ~~multipliers multiplier specified in subsection (a) of this section shall~~
43 ~~be reduced accordingly.~~

1 ~~—(c) The amount of bonds shall be reduced by all amounts which~~
2 ~~have been or will be received by the school district from any tax~~
3 ~~levy made under authority of K.S.A. 72-8801, and amendments~~
4 ~~thereto, before such bonds are issued.~~

5 ~~—(d) The amount of bonds shall be reduced by the estimated~~
6 ~~amount of interest to be paid on the bonds.~~

7 ~~—(e) The amount of bonds shall be reduced by an amount equal~~
8 ~~to the amount of unpaid principal on bonds which have theretofore~~
9 ~~been issued under this section.~~

10 ~~—Sec. 6. K.S.A. 72-8808 is hereby amended to read as follows:~~

11 ~~72-8808. Whenever an initial resolution has been adopted under K.S.A.~~
12 ~~72-8801, and amendments thereto, and such resolution specified a lesser~~
13 ~~mill rate than the statutorily prescribed mill rate or a lesser number of~~
14 ~~years than five, the board of education of the school district may adopt a~~
15 ~~second resolution under the same procedure as is provided in K.S.A. 72-~~
16 ~~8801, and amendments thereto, for the initial resolution and subject to~~
17 ~~the same conditions and for the same purposes as provided in K.S.A. 72-~~
18 ~~8801, and amendments thereto, and shall be authorized to make such~~
19 ~~additional tax levy as is specified in such second resolution for the re-~~
20 ~~mainder of the five years succeeding the adoption of the initial resolution.~~
21 ~~Any such second resolution shall be limited in amount as specified in~~
22 ~~K.S.A. 72-8801, and amendments thereto, less such amount as has been~~
23 ~~authorized in the initial resolution, and not to exceed the statutorily pre-~~
24 ~~scribed mill rate in any one year. In the event that *The board of education*~~
25 ~~*of any school district which has adopted a resolution under K.S.A. 72-*~~
26 ~~*8801, and amendments thereto, may adopt subsequent resolutions ad-*~~
27 ~~*justing the amount of the tax levy or the duration of such levy or address-*~~
28 ~~*ing the uses of the moneys derived from a levy made pursuant to the*~~
29 ~~*subsequent resolution. If the board adopts a resolution pursuant to this*~~
30 ~~*section, the existing resolution shall remain in force and effect until the*~~
31 ~~*resolution adopted pursuant to this section becomes effective. If any such*~~
32 ~~*resolution is so adopted and the tax levy therein specified is ap-*~~
33 ~~*proved under the conditions specified in K.S.A. 72-8801, and*~~
34 ~~*amendments thereto, the amount of bonds which may be issued un-*~~
35 ~~*der K.S.A. 72-8805, and amendments thereto, may be increased ac-*~~
36 ~~*cordingly.*~~

37 [Sec. 5. K.S.A. 72-8808 is hereby amended to read as follows:
38 72-8808. Whenever an initial resolution has been adopted under
39 K.S.A. 72-8801, and amendments thereto, and such resolution spec-
40 ified a lesser mill rate than the statutorily prescribed mill rate or a
41 lesser number of years than five, the board of education of the
42 school district may adopt a second resolution under the same pro-
43 cedure as is provided in K.S.A. 72-8801, and amendments thereto,

1 **for the initial resolution and subject to the same conditions and for**
 2 **the same purposes as provided in K.S.A. 72-8801, and amendments**
 3 **thereto, and The board shall be authorized to make such additional**
 4 **tax levy as is specified in such second resolution for the remainder**
 5 **of the five years succeeding the adoption of the initial resolution.**
 6 **Any such second resolution shall be limited in amount as specified**
 7 **in K.S.A. 72-8801, and amendments thereto, less such amount as**
 8 **has been authorized in the initial resolution, and not to exceed the**
 9 **statutorily prescribed mill rate in any one year. In the event that The**
 10 **board of education of any school district which has adopted a resolution**
 11 **under K.S.A. 72-8801, and amendments thereto, may adopt subsequent**
 12 **resolutions adjusting the amount of the tax levy or the duration of such**
 13 **levy or addressing the uses of the moneys derived from a levy made pur-**
 14 **suant to the subsequent resolution. If the board adopts a resolution pur-**
 15 **suant to this section, the existing resolution shall remain in force and effect**
 16 **until the resolution adopted pursuant to this section becomes effective. If**
 17 **any such resolution is so adopted and the tax levy therein specified**
 18 **is approved under the conditions specified in K.S.A. 72-8801, and**
 19 **amendments thereto, the amount of bonds which may be issued un-**
 20 **der K.S.A. 72-8805, and amendments thereto, may be increased ac-**
 21 **cordingly.]**

22 **Sec. 7 [6]. K.S.A. 72-8810 is hereby amended to read as follows:**
 23 **72-8810. Any school district which is authorized to make a tax levy**
 24 **adopts a resolution under K.S.A. 72-8809, and amendments thereto,**
 25 **may issue and sell general obligation bonds based upon and in lieu**
 26 **of making all or part of such tax levy. Any bonds issued under au-**
 27 **thority of this section shall be subject to like limitations as bonds**
 28 **issued under K.S.A. 72-8805, and amendments thereto, and shall be**
 29 **issued in the same manner.**

30 **Sec. 8 [7]. K.S.A. 72-6407, 72-6407a, 72-67,115, 72-7108a, 72-**
 31 **8801, 72-8804, ~~72-8805, 72-8807, 72-8808, 72-8809 and 72-8810~~**
 32 **[72-8808 and 72-8810] are hereby repealed.**

33 **Sec. 9 [8]. This act shall take effect and be in force from and after**
 34 **its publication in the statute *Kansas register* book.**

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