

SENATE BILL No. 556

By Committee on Ways and Means

3-8

9 AN ACT concerning certain postsecondary educational institutions; re-
10 relating to out-district tuition; amending K.S.A. 2003 Supp. 13-13a25,
11 13-13a26, 13-13a27, 13-13a29, 13-13a31, 13-13a32, 13-13a33, 13-
12 13a34, 19-101a, 71-301a, 71-304, 71-305, 71-306, 71-308, 71-401, 71-
13 402, 71-403, 71-610 and 71-1705 and repealing the existing sections.
14

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

16 Section 1. K.S.A. 2003 Supp. 13-13a25 is hereby amended to read
17 as follows: 13-13a25. (a) As used in K.S.A. 13-13a25 through 13-13a34,
18 and amendments thereto:

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

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

29 (3) "Municipal university district" means the taxing district of a mu-
30 nicipal university.

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

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

37 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

38 Sec. 2. K.S.A. 2003 Supp. 13-13a26 is hereby amended to read as
39 follows: 13-13a26. (a) The board of regents of a municipal university, in
40 accordance with rules and regulations of the state board, shall determine
41 and collect an amount of out-district tuition to be charged for each stu-
42 dent attending the municipal university whose residence is outside of the
43 municipal university district.

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

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

13 (d) The total out-district tuition charged by a municipal university
14 shall be: (1) For the ~~2000~~ fiscal year, an amount equal to the number of
15 ~~duly enrolled out-district students times \$24 for each credit hour of each~~
16 ~~such duly enrolled out-district student,~~ (2) for the 2001 fiscal year, an
17 amount equal to the number of duly enrolled out-district students times
18 ~~\$18 for each credit hour of each such student,~~ (3) for the 2002 fiscal year,
19 ~~the 2003 fiscal year and the 2004 fiscal year and the 2005 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)~~ (2) for the ~~2005~~
22 2006 fiscal year, an amount equal to the number of duly enrolled out-
23 district students time \$6 for each credit hour of each such student.

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

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

33 (g) The levy of taxes and the payment of out-district tuition by coun-
34 ties required under the provisions of this section shall not be subject to
35 the exercise of home rule by counties under ~~the provisions of article 1 of~~
36 ~~chapter 19 of Kansas Statutes Annotated. Counties shall have no power~~
37 ~~to exempt from, or effect changes in, the provisions of this section K.S.A.~~
38 ~~19-101a, and amendments thereto.~~

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~~ *thereto*.

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, ~~2005~~ 2006.

4 Sec. 3. K.S.A. 2003 Supp. 13-13a27 is hereby amended to read as
5 follows: 13-13a27. (a) Out-district tuition shall be based only upon en-
6 rollments of students who are residents of the state of Kansas. For the
7 purpose of determination of out-district tuition: (1) Persons enrolling in
8 a municipal university who, if adults, have not been, or if minors, whose
9 parents have not been, residents of the state of Kansas for six months
10 prior to enrollment for any term or session are nonresidents of the state
11 of Kansas; and (2) persons enrolling in a municipal university who, if
12 adults, have not been, or if minors, whose parents have not been, resi-
13 dents of the municipal university district for six months prior to enroll-
14 ment for any term or session are nonresidents of the municipal university
15 district.

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

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

25 (d) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

26 Sec. 4. K.S.A. 2003 Supp. 13-13a29 is hereby amended to read as
27 follows: 13-13a29. (a) The determination of credit hours of duly enrolled
28 out-district students shall be made at the end of the fifth week of the
29 regular spring and fall semesters and at the end of the equivalent period
30 for summer sessions. The determination of credit hours of duly enrolled
31 out-district students for payments for short-term courses shall be made
32 at such times as are prescribed by the state board of regents.

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

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

1 ulations for the administration of this act.

2 (d) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

3 Sec. 5. K.S.A. 2003 Supp. 13-13a31 is hereby amended to read as
4 follows: 13-13a31. (a) Subject to the provisions of subsection (b), no out-
5 district tuition shall be charged or paid for any student attending a mu-
6 nicipal university whose residence outside the municipal university dis-
7 trict is in a taxing subdivision in which there is located a community
8 college.

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

14 (c) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

15 Sec. 6. K.S.A. 2003 Supp. 13-13a32 is hereby amended to read as
16 follows: 13-13a32. (a) Subject to the provisions of subsection (b), no out-
17 district tuition shall be charged to or paid by any county in which there
18 is located a municipal university for any student attending a community
19 college whose residence outside the community college district is in a
20 county in which there is located a municipal university.

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

26 (c) The provisions of this section shall expire on June ~~20~~ 30, ~~2005~~
27 2006.

28 Sec. 7. K.S.A. 2003 Supp. 13-13a33 is hereby amended to read as
29 follows: 13-13a33. (a) The state board of regents shall adopt rules and
30 regulations prescribing criteria or guidelines for the purpose of deter-
31 mining which courses of study and programs offered in the community
32 colleges are substantially equivalent to the courses of study and programs
33 offered in municipal universities. A current, complete list of such courses
34 of study and programs shall be maintained on file in the office of the state
35 board of regents, and shall be open for public inspection at any reasonable
36 time.

37 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

38 Sec. 8. K.S.A. 2003 Supp. 13-13a34 is hereby amended to read as
39 follows: 13-13a34. (a) No out-district tuition charged by a municipal uni-
40 versity shall be based upon any course or program which is taught in an
41 area vocational school, an area vocational-technical school, or a technical
42 college under an agreement with the municipal university and for which
43 payments of state or federal moneys are made to the area vocational

1 school, area vocational-technical school, or technical college under the
2 provisions of article 44 of chapter 72 of Kansas Statutes Annotated.

3 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

4 Sec. 9. K.S.A. 2003 Supp. 19-101a is hereby amended to read as
5 follows: 19-101a. (a) The board of county commissioners may transact all
6 county business and perform all powers of local legislation and adminis-
7 tration it deems appropriate, subject only to the following limitations,
8 restrictions or prohibitions:

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

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

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

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

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

20 (6) Counties may not legislate on social welfare administered under
21 state law enacted pursuant to or in conformity with public law No. 271—
22 74th congress, or amendments thereof.

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

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

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

32 (10) No county may levy ad valorem taxes under the authority of this
33 section upon real property located within any redevelopment project area
34 established under the authority of K.S.A. 12-1772, and amendments
35 thereto, unless the resolution authorizing the same specifically authorized
36 a portion of the proceeds of such levy to be used to pay the principal of
37 and interest upon bonds issued by a city under the authority of K.S.A.
38 12-1774, and amendments thereto.

39 (11) Counties shall have no power under this section to exempt from
40 any statute authorizing or requiring the levy of taxes and providing sub-
41 stitute and additional provisions on the same subject, unless the resolution
42 authorizing the same specifically provides for a portion of the proceeds
43 of such levy to be used to pay a portion of the principal and interest on

- 1 bonds issued by cities under the authority of K.S.A. 12-1774, and amend-
2 ments thereto.
- 3 (12) Counties may not exempt from or effect changes in the provi-
4 sions of K.S.A. 19-4601 through 19-4625, and amendments thereto.
- 5 (13) Except as otherwise specifically authorized by K.S.A. 12-1,101
6 through 12-1,109, and amendments thereto, counties may not levy and
7 collect taxes on incomes from whatever source derived.
- 8 (14) Counties may not exempt from or effect changes in K.S.A. 19-
9 430, and amendments thereto.
- 10 (15) Counties may not exempt from or effect changes in K.S.A. 19-
11 302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.
- 12 (16) (A) Counties may not exempt from or effect changes in K.S.A.
13 13-13a26, and amendments thereto.
- 14 (B) This provision shall expire on June 30, ~~2005~~ 2006.
- 15 (17) (A) Counties may not exempt from or effect changes in K.S.A.
16 71-301a, and amendments thereto.
- 17 (B) This provision shall expire on June 30, ~~2005~~ 2006.
- 18 (18) Counties may not exempt from or effect changes in K.S.A. 19-
19 15,139, 19-15,140 and 19-15,141, and amendments thereto.
- 20 (19) Counties may not exempt from or effect changes in the provi-
21 sions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-
22 1226, and amendments thereto, or the provisions of K.S.A. 12-1260
23 through 12-1270 and 12-1276, and amendments thereto.
- 24 (20) Counties may not exempt from or effect changes in the provi-
25 sions of K.S.A. 19-211, and amendments thereto.
- 26 (21) Counties may not exempt from or effect changes in the provi-
27 sions of K.S.A. 19-4001 through 19-4015, and amendments thereto.
- 28 (22) Counties may not regulate the production or drilling of any oil
29 or gas well in any manner which would result in the duplication of reg-
30 ulation by the state corporation commission and the Kansas department
31 of health and environment pursuant to chapter 55 and chapter 65 of the
32 Kansas Statutes Annotated and any rules and regulations adopted pur-
33 suant thereto. Counties may not require any license or permit for the
34 drilling or production of oil and gas wells. Counties may not impose any
35 fee or charge for the drilling or production of any oil or gas well.
- 36 (23) Counties may not exempt from or effect changes in K.S.A. 79-
37 41a04, and amendments thereto.
- 38 (24) Counties may not exempt from or effect changes in K.S.A. 79-
39 1611, and amendments thereto.
- 40 (25) Counties may not exempt from or effect changes in K.S.A. 79-
41 1494, and amendments thereto.
- 42 (26) Counties may not exempt from or effect changes in subsection
43 (b) of K.S.A. 19-202, and amendments thereto.

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

3 (28) Counties may not levy or impose an excise, severance or any
4 other tax in the nature of an excise tax upon the physical severance and
5 production of any mineral or other material from the earth or water.

6 (29) Counties may not exempt from or effect changes in K.S.A. 79-
7 2017 or 79-2101, and amendments thereto.

8 (30) Counties may not exempt from or effect changes in K.S.A. 2-
9 3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-
10 1,178 through 65-1,199 or K.S.A. 2003 Supp. 17-5909, and amendments
11 thereto.

12 (31) Counties may not exempt from or effect changes in K.S.A. 2003
13 Supp. 80-121, and amendments thereto.

14 (32) Counties may not exempt from or effect changes in K.S.A. 19-
15 228, and amendments thereto.

16 (b) Counties shall apply the powers of local legislation granted in
17 subsection (a) by resolution of the board of county commissioners. If no
18 statutory authority exists for such local legislation other than that set forth
19 in subsection (a) and the local legislation proposed under the authority
20 of such subsection is not contrary to any act of the legislature, such local
21 legislation shall become effective upon passage of a resolution of the
22 board and publication in the official county newspaper. If the legislation
23 proposed by the board under authority of subsection (a) is contrary to an
24 act of the legislature which is applicable to the particular county but not
25 uniformly applicable to all counties, such legislation shall become effec-
26 tive by passage of a charter resolution in the manner provided in K.S.A.
27 19-101b, and amendments thereto.

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

30 Sec. 10. K.S.A. 2003 Supp. 71-301a is hereby amended to read as
31 follows: 71-301a. (a) The board of trustees, in accordance with rules and
32 regulations of the state board, shall determine an amount of out-district
33 tuition to be charged for each out-district student attending the com-
34 munity college. The board of county commissioners of any county charged
35 with payment of out-district tuition shall levy a tax on all of the taxable
36 property of the county sufficient to pay all out-district tuition charges
37 authorized by this act. The proceeds from the tax levied under authority
38 of this section shall be deposited in a special fund for payment of out-
39 district tuition. Upon receiving a statement of charges for out-district
40 tuition, the board of county commissioners shall allow and pay the same
41 from the special fund within 45 days from the receipt of such statement.
42 If there is insufficient or no money in the special fund, out-district tuition
43 shall be paid from the county general fund or from the proceeds of the

1 sale of no-fund warrants issued for the purpose of the payment of out-
2 district tuition. If the board of county commissioners fails to pay such
3 amount at the time required under this subsection, the board of trustees
4 shall notify the state board of such failure to pay and shall certify to the
5 state board the amount to be paid. Upon receipt by the state board of
6 such notification, the amount to be paid as certified to the state board
7 shall become an amount due and owing to the state board. The state
8 board shall notify the board of county commissioners that this amount is
9 now due and owing to the state board. If the board of county commis-
10 sioners fails to pay such amount to the state board within 14 days of the
11 receipt of such notification, the state board shall initiate proceedings un-
12 der K.S.A. 75-6201 *et seq.* for the collection of such money. Money paid
13 to or collected by the state board under this subsection shall be deposited
14 in the out-district tuition suspense account which is hereby created in the
15 state treasury. The state board shall pay moneys from this account, in
16 accordance with rules and regulations of the state board, to the com-
17 munity colleges entitled to receive such money.

18 (b) The total out-district tuition charged by a community college shall
19 be: (1) For the ~~2000~~ fiscal year, an amount equal to the number of duly
20 enrolled out-district students times \$24 for each credit hour of each such
21 student, (2) for the ~~2001~~ fiscal year, an amount equal to the number of
22 duly enrolled out-district students times \$18 for each credit hour of each
23 such student, (3) for the ~~2002~~ fiscal year, the ~~2003~~ fiscal year and the
24 2004 fiscal year *and the 2005 fiscal year*, an amount equal to the number
25 of duly enrolled out-district students times \$12 for each credit hour of
26 each such student; and ~~(4)~~ (2) for the ~~2005~~ 2006 fiscal year, an amount
27 equal to the number of duly enrolled out-district students times \$6 for
28 each credit hour of each such student.

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

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

35 (e) The provisions of this section shall take effect and be in force on
36 July 1, 1999, and shall expire on June 30, ~~2005~~ 2006.

37 Sec. 11. K.S.A. 2003 Supp. 71-304 is hereby amended to read as
38 follows: 71-304. (a) Notwithstanding any provision contained in chapter
39 71 of Kansas Statutes Annotated to the contrary, and subject to the pro-
40 visions of K.S.A. 71-305, and amendments thereto, no out-district tuition
41 shall be charged or paid for any student attending a community college
42 whose residence outside the community college district is in another com-
43 munity college district.

1 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.
2 Sec. 12. K.S.A. 2003 Supp. 71-305 is hereby amended to read as
3 follows: 71-305. (a) The provisions of K.S.A. 71-304, and amendments
4 thereto, do not apply to any out-district student when the course of study
5 or program which the student selects, or a course of study or program
6 which is substantially equivalent thereto, is not offered in the community
7 college of the district in which such student resides.

8 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.
9 Sec. 13. K.S.A. 2003 Supp. 71-306 is hereby amended to read as
10 follows: 71-306. (a) The state board of regents shall adopt rules and reg-
11 ulations prescribing criteria or guidelines for the purpose of determining
12 which courses of study and programs offered in the community colleges
13 are substantially equivalent. A current, complete list of such courses of
14 study and programs shall be maintained on file in the office of the state
15 board of regents, and shall be open for public inspection at any reasonable
16 time.

17 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.
18 Sec. 14. K.S.A. 2003 Supp. 71-308 is hereby amended to read as
19 follows: 71-308. (a) No out-district tuition charges shall be based upon
20 credit hours in any subject or course the principal part of which is taught
21 at a location outside the county of the main campus of a community
22 college, unless the location of such subject or course is specifically au-
23 thorized by the state board of regents.

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

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

40 (3) The provisions of this subsection are subject to the provisions of
41 subsection (c).

42 (c) No out-district tuition charges shall be based upon credit hours
43 in any subject or course all or the principal part of which is taught at Fort

1 Hays state university or at Wichita state university under an agreement
2 for the teaching of such subject or course entered into by a community
3 college and either such university. An agreement entered into under the
4 provisions of this subsection for the teaching of a subject or course by a
5 community college at Fort Hays state university or at Wichita state uni-
6 versity shall constitute the authorization required by subsection (b) for
7 the teaching of such subject or course, and no separate authorization
8 under subsection (b) shall be required.

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

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

18 (f) The provisions of this section shall take effect and be in force on
19 July 1, 1999, and shall expire on June 30, ~~2005~~ 2006.

20 Sec. 15. K.S.A. 2003 Supp. 71-401 is hereby amended to read as
21 follows: 71-401. (a) Persons enrolling in a community college who, if
22 adults, have not been, or if minors, whose parents have not been residents
23 of the county in which is located the principal campus of the community
24 college for at least six months prior to enrollment for any term or session
25 are nonresidents of the community college district for the purpose of
26 determining liability of counties for payment of out-district tuition.

27 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

28 Sec. 16. K.S.A. 2003 Supp. 71-402 is hereby amended to read as
29 follows: 71-402. (a) For the purpose of determining the county of resi-
30 dence of persons, residence of minors shall be determined as provided
31 in K.S.A. 72-1046, and amendments thereto, and of adults as provided in
32 subpart *Twenty-third* of K.S.A. 77-201, and amendments thereto.

33 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

34 Sec. 17. K.S.A. 2003 Supp. 71-403 is hereby amended to read as
35 follows: 71-403. (a) The state board of regents may adopt rules and reg-
36 ulations prescribing criteria or guidelines for determination of residence
37 of students for the purpose of determining liability of counties for out-
38 district tuition of students in community colleges. The state board may
39 make conclusive determination of any residence matter for the purpose
40 of determination of out-district tuition.

41 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

42 Sec. 18. K.S.A. 2003 Supp. 71-610 is hereby amended to read as
43 follows: 71-610. (a) Notwithstanding any provision contained in chapter

1 71 of Kansas Statutes Annotated to the contrary, whenever there are two
2 community college districts located within one county, no out-district
3 tuition shall be charged for any student residing in such county and at-
4 tending either such community college.

5 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

6 Sec. 19. K.S.A. 2003 Supp. 71-1705 is hereby amended to read as
7 follows: 71-1705. (a) Notwithstanding any provision contained in chapter
8 71 of Kansas Statutes Annotated to the contrary, whenever any area vo-
9 cational school or area vocational-technical school consolidates with a
10 community college in accordance with the provisions of this act, no out-
11 district tuition shall be charged for any student enrolled in any vocational
12 education course or program offered by the community college if such
13 course or program was taught in the area vocational school or area vo-
14 cational-technical school immediately prior to the consolidation of such
15 area vocational school or area vocational-technical school with such com-
16 munity college and as a result of such consolidation such course or pro-
17 gram is now being offered by the community college.

18 (b) The provisions of this section shall expire on June 30, ~~2005~~ 2006.

19 Sec. 20. K.S.A. 2003 Supp. 13-13a25, 13-13a26, 13-13a27, 13-13a29,
20 13-13a31, 13-13a32, 13-13a33, 13-13a34, 19-101a, 71-301a, 71-304, 71-
21 305, 71-306, 71-308, 71-401, 71-402, 71-403, 71-610 and 71-1705 are
22 hereby repealed.

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