

HOUSE BILL No. 2859

By Representative Kinzer

2-13

9 AN ACT concerning school districts; relating to school district funds;
10 amending K.S.A. 72-1726, 72-3607, 72-4523, 72-4525, 72-5119, 72-
11 6420, 72-6422, 72-6423, 72-8210, 72-8237 and 72-8238 and K.S.A.
12 2007 Supp. 72-6414a, 72-6414b, 72-6421, 72-6451, 72-8248, 72-8249,
13 72-8250, 72-9509 and 72-9609 and repealing the existing sections.
14

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

16 Section 1. K.S.A. 72-1726 is hereby amended to read as follows: 72-
17 1726. ~~In any city of the first class in the state of Kansas there may be~~
18 ~~created by the board of education of such city a public school teachers'~~
19 ~~retirement fund, which fund when created, and the management and~~
20 ~~disbursement thereof, shall be under the control of the board of education~~
21 ~~of such city. Such retirement fund shall be created and maintained in the~~
22 ~~following manner: All moneys in the public school teachers' retirement~~
23 ~~fund on June 30, 2008, and all liabilities relating thereto and all moneys~~
24 ~~received by the school district pursuant to this section shall be transferred~~
25 ~~to the general fund of the school district. In order to pay for the liability~~
26 ~~incurred pursuant to this section, the board of education may:~~

27 ~~First. By (a) Make an assessment of not less than one percent 1% nor~~
28 ~~more than six percent 6% of every installment of salary paid to a teacher~~
29 ~~employed in such city.~~

30 ~~Second. By the setting (b) Set aside by the board of education of such~~
31 ~~city of an amount which shall be not less than one and one-half 1½ times~~
32 ~~the amount of salary assessments, and not less than the amount necessary~~
33 ~~to meet the payments herein provided for, such amount and an amount~~
34 ~~to pay a portion of the principal and interest on bonds issued by cities~~
35 ~~under the authority of K.S.A. 12-1774, and amendments thereto, for the~~
36 ~~financing of redevelopment projects upon property located within the~~
37 ~~school district may be raised by special levy and none of the debt or tax~~
38 ~~limitations provided by law shall apply to such levy made under this act,~~
39 ~~except that in no event shall such levy in any one year exceed one mill~~
40 ~~on each dollar of assessed valuation of real and personal property located~~
41 ~~within the taxing district of said the board of education.~~

42 ~~Third. By the receipt (c) Receive by the gift or otherwise, of any real,~~
43 ~~personal, or mixed property, or any interest therein.~~

1 Sec. 2. K.S.A. 72-3607 is hereby amended to read as follows: 72-
2 3607. ~~There is hereby established in every school district which has de-~~
3 ~~veloped and is operating a parent education program for which grants are~~
4 ~~awarded under this act a fund which shall be called the parent education~~
5 ~~program fund, which fund shall consist of all moneys deposited therein~~
6 ~~or transferred thereto according to law. Notwithstanding any other pro-~~
7 ~~vision of law, All moneys received by the school district from whatever~~
8 ~~source for a parent education program operated under this act shall be~~
9 ~~credited to the fund established by this section. Amounts deposited in~~
10 ~~the parent education program fund deposited in the general fund of the~~
11 ~~district and shall be used exclusively for the payment of expenses directly~~
12 ~~attributable to the program.~~

13 *All moneys in the parent education program fund on June 30, 2008,*
14 *and all liabilities relating thereto shall be transferred to the general fund*
15 *of the district.*

16 Sec. 3. K.S.A. 72-4523 is hereby amended to read as follows: 72-
17 4523. (a) Subject to the provisions of subsection (b), the board of any
18 school district may make an annual tax levy for a period of not to exceed
19 five years in an amount not to exceed ½ mill upon the assessed taxable
20 tangible property within the school district to maintain and operate an
21 adult basic education program at a level approved by the state board and
22 for the purpose of paying a portion of the principal and interest on bonds
23 issued by cities under authority of K.S.A. 12-1774, and amendments
24 thereto, for the financing of redevelopment projects upon property lo-
25 cated within the school district. Proceeds from the tax levy, except for an
26 amount to pay a portion of the principal and interest on bonds issued by
27 cities under authority of K.S.A. 12-1774, and amendments thereto, for
28 the financing of redevelopment projects upon property located within the
29 school district, shall be deposited in the ~~adult education~~ *general fund* of
30 the school district, ~~which fund is hereby established.~~ Notwithstanding any
31 other provision of law, all moneys received by the school district from
32 whatever source for adult basic education shall be credited to the ~~adult~~
33 ~~education~~ *general fund established by this section.* The expenses of a
34 school district directly attributable to adult basic education shall be paid
35 from the adult education fund.

36 *All moneys in the adult education fund on June 30, 2008, and all lia-*
37 *bilities relating thereto shall be transferred to the general fund of the*
38 *school district.*

39 (b) No tax levy shall be made under this section until a resolution
40 authorizing the levy is passed by the board and published once a week
41 for three consecutive weeks in a newspaper having general circulation in
42 the school district. The resolution shall specify the millage rate of the tax
43 levy and the period of time for which the tax levy shall be made under

1 authority thereof. After adoption of the resolution, the levy may be made
2 unless, within 90 days following the last publication of the resolution, a
3 petition in opposition to the levy, signed by not less than 5% of the qual-
4 ified electors of the school district, is filed with the county election officer
5 of the home county of the school district. In the event a petition is filed,
6 the tax shall not be levied without the question of levying the same having
7 been submitted to and approved by a majority of the qualified electors
8 of the school district voting at an election which shall be called for that
9 purpose or at the next general election.

10 (c) The board of any school district which has made a tax levy au-
11 thorized under the provisions of this section may initiate procedures to
12 renew its authority to make such a tax levy at any time after the final levy
13 under a current authorization is certified to the county clerk.

14 Sec. 4. K.S.A. 72-4525 is hereby amended to read as follows: 72-
15 4525. (a) Any board may establish and maintain an adult supplementary
16 education program for the instruction of persons desirous of attending
17 such a program.

18 (b) The cost of instruction for adult supplementary education pro-
19 grams shall be borne by the school district or community college and the
20 board shall obtain and furnish the necessary teaching personnel and sup-
21 plies. Tuition or fees shall be charged by the board to offset expense of
22 operation of adult supplementary education programs in part or in total.

23 (c) ~~There is hereby established in every school district and in every~~
24 ~~community college a fund which shall be called the adult supplementary~~
25 ~~education fund, which fund shall consist of all moneys deposited therein~~
26 ~~or transferred thereto according to law. All moneys received by a board~~
27 ~~for adult supplementary education shall be deposited in the adult sup-~~
28 ~~plementary education fund established by this section~~ *general fund of the*
29 *district.* The expenses of a school district or a community college attrib-
30 utable to adult supplementary education shall be paid from the ~~adult~~
31 ~~supplementary education~~ *general fund.*

32 *All moneys in the adult supplementary education fund on June 30,*
33 *2008, and all liabilities relating thereto shall be transferred to the general*
34 *fund of the school district.*

35 Sec. 5. K.S.A. 72-5119 is hereby amended to read as follows: 72-
36 5119. ~~There is hereby established in every school district a fund which~~
37 ~~shall be called the "food service fund," which fund shall consist of all~~
38 ~~moneys deposited therein or transferred thereto according to law. All~~
39 ~~moneys received by the school district for food service and from charges~~
40 ~~for food service shall be credited to the food service fund~~ *general fund*
41 *of the district.* The expenses of a school district attributable to food service
42 shall be paid from the ~~food service~~ *general fund.* ~~No moneys in the food~~
43 ~~service fund shall be transferred to any other fund of the district. Non-~~

1 public schools shall maintain fund accounting of programs supported un-
2 der this act.

3 *All moneys in the food service fund on June 30, 2008, and all liabilities*
4 *relating thereto shall be transferred to the general fund of the school*
5 *district.*

6 Sec. 6. K.S.A. 2007 Supp. 72-6414a is hereby amended to read as
7 follows: 72-6414a. (a) ~~There is hereby established in every district a fund~~
8 ~~which shall be called the at-risk education fund, which fund shall consist~~
9 ~~of all moneys deposited therein or transferred thereto according to law.~~
10 The expenses of a district directly attributable to providing at-risk assis-
11 tance or programs, including assistance or programs provided to non-
12 proficient pupils, shall be paid from the ~~at-risk education fund~~ *general*
13 *fund of the district.*

14 (b) ~~Any balance remaining in the at-risk education fund at the end~~
15 ~~of the budget year shall be carried forward into the at-risk education fund~~
16 ~~for succeeding budget years. Such fund shall not be subject to the pro-~~
17 ~~visions of K.S.A. 79-2025 through 79-2037, and amendments thereto. In~~
18 ~~preparing the budget of such school district, the amounts credited to and~~
19 ~~the amount on hand in the at-risk education fund, and the amount ex-~~
20 ~~pended therefrom shall be included in the annual budget for the infor-~~
21 ~~mation of the residents of the school district. Interest earned on the in-~~
22 ~~vestment of moneys in any such fund shall be credited to that fund. All~~
23 ~~moneys in the at-risk education fund on June 30, 2008, and all liabilities~~
24 ~~relating thereto shall be transferred to the general fund of the school~~
25 ~~district.~~

26 (c) Each year the board of education of each school district shall
27 prepare and submit to the state board a report on the at-risk program or
28 assistance provided by the district. Such report shall include information
29 specifying the number of at-risk pupils and nonproficient pupils who were
30 served or provided assistance, the type of service provided, the research
31 upon which the district relied in determining that a need for service or
32 assistance existed, the results of providing such service or assistance and
33 any other information required by the state board.

34 (d) In order to achieve uniform reporting of the number of at-risk
35 pupils and nonproficient pupils provided service or assistance by school
36 districts in at-risk programs, districts shall report the number of at-risk
37 pupils and nonproficient pupils served or assisted in the manner required
38 by the state board.

39 Sec. 7. K.S.A. 2007 Supp. 72-6414b is hereby amended to read as
40 follows: 72-6414b. (a) ~~There is hereby established in every district a fund~~
41 ~~which shall be called the preschool-aged at-risk education fund, which~~
42 ~~fund shall consist of all moneys deposited therein or transferred thereto~~
43 ~~according to law.~~ The expenses of a district directly attributable to pro-

1 ~~viding preschool-aged at-risk assistance or programs shall be paid from~~
 2 ~~the preschool-aged at-risk education fund~~ *general fund of the district.*

3 (b) A school district may expend amounts received from the pre-
 4 school-aged at-risk weighting to pay the cost of providing at-risk, bilingual
 5 and vocational education programs and services.

6 (c) ~~Any balance remaining in the preschool-aged at-risk education~~
 7 ~~fund at the end of the budget year shall be carried forward into the~~
 8 ~~preschool-aged at-risk education fund for succeeding budget years. Such~~
 9 ~~fund shall not be subject to the provisions of K.S.A. 79-2025 through 79-~~
 10 ~~2037, and amendments thereto. In preparing the budget of such school~~
 11 ~~district, the amounts credited to and the amount on hand in the pre-~~
 12 ~~school-aged at-risk education fund, and the amount expended therefrom~~
 13 ~~shall be included in the annual budget for the information of the residents~~
 14 ~~of the school district. Interest earned on the investment of moneys in any~~
 15 ~~such fund shall be credited to that fund. All moneys in the preschool-aged~~
 16 ~~at-risk fund on June 30, 2008, and all liabilities relating thereto shall be~~
 17 ~~transferred to the general fund of the school district.~~

18 (d) Each year the board of education of each school district shall
 19 prepare and submit to the state board a report on the preschool-aged at-
 20 risk program or assistance provided by the district. Such report shall in-
 21 clude information specifying the number of pupils who were served or
 22 provided assistance, the type of service provided, the research upon which
 23 the district relied in determining that a need for service or assistance
 24 existed, the results of providing such service or assistance and any other
 25 information required by the state board.

26 Sec. 8. K.S.A. 72-6420 is hereby amended to read as follows: 72-
 27 6420. (a) ~~There is hereby established in every district a fund which shall~~
 28 ~~be called the special education fund, which fund shall consist of all mon-~~
 29 ~~eys deposited therein or transferred thereto according to law. Notwith-~~
 30 ~~standing any other provision of law, All moneys received by the district~~
 31 ~~from whatever source for special education shall be credited to the special~~
 32 ~~education fund established by this section, except that (1) amounts of~~
 33 ~~payments received by a district under K.S.A. 72-979, and amendments~~
 34 ~~thereto, and amounts of grants, if any, received by a district under K.S.A.~~
 35 ~~72-983, and amendments thereto, shall be deposited in the general fund~~
 36 ~~of the district and transferred to the special education fund, and (2) gen-~~
 37 ~~eral fund of the district. Moneys received by a district pursuant to lawful~~
 38 ~~agreements made under K.S.A. 72-968, and amendments thereto, shall~~
 39 ~~be credited to the special fund established under the agreements.~~

40 *All moneys in the special education fund on June 30, 2008, and all*
 41 *liabilities relating thereto shall be transferred to the general fund of the*
 42 *school district.*

43 (b) The expenses of a district directly attributable to special education

1 shall be paid from the ~~special education~~ *general* fund and from special
2 funds established under K.S.A. 72-968, and amendments thereto.

3 (c) Obligations of a district pursuant to lawful agreements made un-
4 der K.S.A. 72-968, and amendments thereto, shall be paid from the ~~spe-~~
5 ~~cial education~~ *general* fund established by this section.

6 Sec. 9. K.S.A. 2007 Supp. 72-6421 is hereby amended to read as
7 follows: 72-6421. (a) ~~There is hereby established in every district a fund~~
8 ~~which shall be called the vocational education fund.~~ All moneys received
9 by a district for any course or program authorized and approved under
10 the provisions of article 44 of chapter 72 of Kansas Statutes Annotated,
11 except for courses and programs conducted in an area vocational school,
12 shall be credited to the ~~vocational education fund~~ *general fund of the*
13 *district*. All moneys received by the district from tuition, fees or charges
14 or from any other source for vocational education courses or programs;
15 ~~except for courses and programs conducted in an area vocational school,~~
16 ~~shall be credited to the vocational education~~ *general* fund. The expenses
17 of a district directly attributable to vocational education shall be paid from
18 the ~~vocational education~~ *general* fund.

19 (b) Obligations of a district pursuant to lawful agreements made un-
20 der K.S.A. 72-4421, and amendments thereto, shall be paid from the
21 ~~vocational education fund established by this section~~ *general fund of the*
22 *district*. If any such agreement expresses an obligation of a district in
23 terms of a mill levy, such obligation shall be construed to mean an amount
24 equal to that which would be produced by the levy.

25 (c) ~~Any balance remaining in the vocational education fund at the~~
26 ~~end of the budget year shall be carried forward into the vocational edu-~~
27 ~~cation fund for succeeding budget years. Such fund shall not be subject~~
28 ~~to the provisions of K.S.A. 79-2925 through 79-2937, and amendments~~
29 ~~thereto. In preparing the budget of such school district, the amounts~~
30 ~~credited to and the amount on hand in the vocational education fund,~~
31 ~~and the amount expended therefrom shall be included in the annual~~
32 ~~budget for the information of the residents of the school district. Interest~~
33 ~~earned on the investment of moneys in any such fund shall be credited~~
34 ~~to that fund. All moneys in the vocational education fund on June 30,~~
35 ~~2008, and all liabilities relating thereto shall be transferred to the general~~
36 ~~fund of the school district.~~

37 Sec. 10. K.S.A. 72-6422 is hereby amended to read as follows: 72-
38 6422. (a) ~~There is hereby established in every district operating an area~~
39 ~~vocational school a fund which shall be called the area vocational school~~
40 ~~fund, which fund shall consist of all federal and state moneys received by~~
41 ~~the district under the provisions of article 44 of chapter 72 of Kansas~~
42 ~~Statutes Annotated, except moneys received for courses and programs~~
43 ~~not conducted in the area vocational school. All moneys received by the~~

1 district from tuition, fees or charges or from any other source for voca-
2 tional education courses or programs conducted in the area vocational
3 school operated by the district shall be credited to the ~~area vocational~~
4 ~~school fund~~ *general fund of the district*. The expenses of a district directly
5 attributable to operation of an area vocational school shall be paid from
6 the ~~area vocational school~~ *general fund*.

7 ~~(b) The provisions of this section shall take effect and be in force~~
8 ~~from and after July 1, 1992.~~

9 *All moneys in the area vocational school fund on June 30, 2008, and*
10 *all liabilities relating thereto shall be transferred to the general fund of*
11 *the school district.*

12 Sec. 11. K.S.A. 72-6423 is hereby amended to read as follows: 72-
13 6423. ~~(a) There is hereby established in every district a fund which shall~~
14 ~~be called the driver training fund which fund shall consist of all moneys~~
15 ~~deposited therein or transferred thereto according to law.~~ All moneys
16 received by the district from distributions made from the state safety fund
17 and the motorcycle safety fund and from tuition, fees or charges for driver
18 training courses shall be credited to the ~~driver training fund~~ *general fund*
19 *of the district*. The expenses of a district directly attributable to driver
20 training shall be paid from the ~~driver training~~ *general fund*.

21 ~~(b) The provisions of this section shall take effect and be in force~~
22 ~~from and after July 1, 1992.~~

23 *All moneys in the driver training fund on June 30, 2008, and all lia-*
24 *bilities relating thereto shall be transferred to the general fund of the*
25 *school district.*

26 Sec. 12. K.S.A. 2007 Supp. 72-6451 is hereby amended to read as
27 follows: 72-6451. (a) As used in this section:

28 (1) "School district" or "district" means a school district which: (A)
29 Has a declining enrollment; and (B) has adopted a local option budget in
30 an amount which equals at least 31% of the state financial aid for the
31 school district at the time the district applies to the state board of tax
32 appeals for authority to make a levy pursuant to this section.

33 (2) "Declining enrollment" means an enrollment which has declined
34 in amount from that of the preceding school year.

35 (b) (1) (A) A school district may levy an ad valorem tax on the taxable
36 tangible property of the district each year for a period of time not to
37 exceed two years in an amount not to exceed the amount authorized by
38 the state board of tax appeals under this subsection for the purpose of
39 financing the costs incurred by the state that are directly attributable to
40 assignment of declining enrollment weighting to enrollment of the dis-
41 trict. The state board of tax appeals may authorize the district to make a
42 levy which will produce an amount that is not greater than the amount
43 of revenues lost as a result of the declining enrollment of the district.

1 Such amount shall not exceed 5% of the general fund budget of the
2 district in the school year in which the district applies to the state board
3 of tax appeals for authority to make a levy pursuant to this section.

4 (B) As an alternative to the authority provided in paragraph (1)(A), if
5 a district was authorized to make a levy pursuant to this section in school
6 year 2006-2007, such district shall remain authorized to make a levy at a
7 rate necessary to generate revenue in the same amount that was gener-
8 ated in school year 2007-2008 if the district adopts a local option budget
9 in an amount equal to the state prescribed percentage in effect in school
10 year 2006-2007.

11 (2) The board of tax appeals shall certify to the state board the amount
12 authorized to be produced by the levy of a tax under this section.

13 (3) The state board shall prescribe guidelines for the data that school
14 districts shall include in cases before the state board of tax appeals pur-
15 suant to this section.

16 (c) A district may levy the tax authorized pursuant to this section for
17 a period of time not to exceed two years unless authority to make such
18 levy is renewed by the state board of tax appeals. The state board of tax
19 appeals may renew the authority to make such levy for periods of time
20 not to exceed two years.

21 (d) The state board shall provide to the state board of tax appeals
22 such school data and information requested by the state board of tax
23 appeals and any other information deemed necessary by the state board.

24 (e) ~~There is hereby established in every district a fund which shall be~~
25 ~~called the declining enrollment fund. Such fund shall consist of all moneys~~
26 ~~deposited therein or transferred thereto according to law. The proceeds~~
27 ~~from the tax levied by a district under authority of this section shall be~~
28 ~~credited to the declining enrollment general fund of the district. The~~
29 ~~proceeds from the tax levied by a district credited to the declining en-~~
30 ~~rollment general fund shall be remitted to the state treasurer in accord-~~
31 ~~ance with the provisions of K.S.A. 75-4215, and amendments thereto.~~
32 Upon receipt of each such remittance, the state treasurer shall deposit
33 the entire amount in the state treasury to the credit of the state school
34 district finance fund.

35 *All moneys in the declining enrollment fund on June 30, 2008, and all*
36 *liabilities relating thereto shall be transferred to the general fund of the*
37 *school district.*

38 Sec. 13. K.S.A. 72-8210 is hereby amended to read as follows: 72-
39 8210. The unified district shall be legal successor to all of the rights,
40 powers and authorities vested in boards of disorganized districts of the
41 unified district except as is otherwise provided in any of the school uni-
42 fication acts. This provision shall be construed, but not by way of limita-
43 tion, as being particularly applicable to powers and authorities with re-

1 spect to bequests, legacies, trusts, and property or interest in property of
2 any kind whatsoever. Any bequest, legacy, trust or donation may be placed
3 in ~~a separate~~ *the general* fund of the district ~~and if placed in such fund~~
4 ~~the same~~. *Expenditure of such moneys* shall be exempt from budget law
5 requirements and shall be used in compliance with the wishes of the
6 donor as nearly as may be.

7 *All moneys in the gift fund on June 30, 2008, and all obligations relating*
8 *thereto shall be transferred to the general fund of the school district.*

9 Sec. 14. K.S.A. 72-8237 is hereby amended to read as follows: 72-
10 8237. (a) The board of education of any school district may: (1) Establish,
11 operate and maintain a summer program for pupils; (2) enter into co-
12 operative or interlocal agreements with one or more other boards of ed-
13 ucation for the establishment, operation and maintenance of a summer
14 program for pupils; and (3) prescribe and collect fees for providing a
15 summer program for pupils or provide such program without charge.

16 (b) Fees for providing a summer program for pupils shall be pre-
17 scribed and collected only to recover the costs incurred as a result of and
18 directly attributable to the establishment, operation and maintenance of
19 the program.

20 (c) No school district may collect fees for providing a summer pro-
21 gram for pupils required to attend such a program in accordance with
22 the provisions of law, rules and regulations of the state board of education,
23 policy of the board of education, or an individualized education plan de-
24 veloped for an exceptional child.

25 (d) ~~There is hereby established in every district which establishes,~~
26 ~~operates and maintains a summer program a fund which shall be called~~
27 ~~the summer program fund, which fund shall consist of all moneys depos-~~
28 ~~ited therein or transferred thereto according to law.~~ All moneys received
29 by a district from fees collected under this section or from any other
30 source for summer programs shall be credited to the ~~summer program~~
31 ~~fund~~ *general fund of the district*. The expenses of a district directly at-
32 tributable to summer programs shall be paid from the ~~summer program~~
33 *general fund*.

34 *All moneys in the summer program fund on June 30, 2008, and all*
35 *liabilities relating thereto shall be transferred to the general fund of the*
36 *school district.*

37 (e) As used in this section, the term “summer program” means a
38 program which is established by the board of education of a school district
39 and operated during the summer months for the purpose of giving re-
40 medial instruction to pupils or for the purpose of conducting special pro-
41 jects and activities designed to enrich and enhance the educational ex-
42 perience of pupils, or for both such purposes.

43 Sec. 15. K.S.A. 72-8238 is hereby amended to read as follows: 72-

1 8238. (a) The board of education of any school district may: (1) Establish,
 2 operate and maintain an extraordinary school program for pupils who
 3 meet the district's criteria for attendance of such programs; (2) enter into
 4 cooperative or interlocal agreements with one or more other boards of
 5 education for the establishment, operation and maintenance of an ex-
 6 traordinary school program for pupils; and (3) prescribe and collect fees
 7 for providing an extraordinary school program for pupils or provide such
 8 program without charge.

9 (b) Fees for providing an extraordinary school program for pupils
 10 shall be prescribed and collected only to recover the cost incurred as a
 11 result of and directly attributable to the establishment, operation and
 12 maintenance of the program.

13 (c) No school district may collect fees for providing an extraordinary
 14 school program for pupils who are required to attend such a program in
 15 accordance with the provisions of law, rules and regulations of the state
 16 board of education, policy of the board of education, or an individualized
 17 education plan developed for an exceptional child or who are eligible for
 18 free or reduced price meals under the national school lunch act.

19 (d) ~~There is hereby established in every district which establishes,~~
 20 ~~operates and maintains an extraordinary school program a fund which~~
 21 ~~shall be called the extraordinary school program fund, which fund shall~~
 22 ~~consist of all moneys deposited therein or transferred thereto according~~
 23 ~~to law.~~ All moneys received by a district from fees collected under this
 24 section or from any other source for extraordinary school programs shall
 25 be credited to the ~~extraordinary school program fund~~ *general fund of the*
 26 *district*. The expenses of a district directly attributable to extraordinary
 27 school programs shall be paid from the ~~extraordinary school program~~
 28 *general fund*.

29 *All moneys in the extraordinary school program fund on June 30, 2008,*
 30 *and all liabilities relating thereto shall be transferred to the general fund*
 31 *of the school district.*

32 (e) As used in this section, the term "extraordinary school program"
 33 means a program which is established by the board of education of a
 34 school district, operated before or after regular school hours during the
 35 regular school term, and maintained for any or all of the following pur-
 36 poses: (1) Providing pupils with additional time to achieve learner exit or
 37 improvement plan outcomes; (2) giving pupils remedial instruction or
 38 independent study assistance; (3) affording pupils an opportunity to
 39 strengthen or attain mastery of basic or higher order thinking skills; and
 40 (4) conducting special projects and activities designed to enrich and en-
 41 hance the educational experience of pupils.

42 Sec. 16. K.S.A. 2007 Supp. 72-8248 is hereby amended to read as
 43 follows: 72-8248. (a) ~~There is hereby established in every school district~~

1 ~~a special liability expense fund. Moneys in such fund shall be used~~ *may*
 2 *be expended from the general fund of the district to:*

3 (1) Pay the cost of providing for its defense and the defense of em-
 4 ployees pursuant to the Kansas tort claims act and for the payment of
 5 claims and other direct and indirect costs resulting from the implemen-
 6 tation of such act; and

7 (2) pay judgments rendered against the district.

8 (b) ~~The district shall credit to the special liability expense fund~~ *gen-*
 9 *eral fund of the district* any moneys received by the district from any
 10 source which may be lawfully utilized for the purposes specified by this
 11 section including the proceeds of tax levies hereinafter authorized and
 12 provided. ~~Any balance remaining in the special liability expense fund at~~
 13 ~~the end of the budget year shall be carried forward into that fund for~~
 14 ~~succeeding budget years. Such fund~~ *Expenditures of money for purposes*
 15 *specified in subsection (a)* shall not be subject to the provisions of K.S.A.
 16 79-2925 through 79-2937, and amendments thereto. ~~In making the~~
 17 ~~budget of the district, the amounts credited to and the amount on hand~~
 18 ~~in such special fund, and the amount expended therefrom, shall be in-~~
 19 ~~cluded in the annual budget for the information of the residents of the~~
 20 ~~district. Interest earned on the investment of moneys in any such fund~~
 21 ~~shall be credited to that fund. All moneys in the special liability expense~~
 22 ~~fund on June 30, 2008, and all liabilities relating thereto shall be trans-~~
 23 ~~ferred to the general fund of the school district.~~

24 (c) Whenever the governing body of any school district determines
 25 that moneys from other sources will be insufficient to pay such costs, the
 26 governing body is hereby authorized to levy an annual tax upon all taxable
 27 tangible property within the district in an amount determined by the
 28 governing body to be necessary for such purpose and to pay a portion of
 29 the principal and interest on bonds issued by cities under the authority
 30 of K.S.A. 12-1774, and amendments thereto, for the financing of rede-
 31 velopment projects upon property located in such school district.

32 Sec. 17. K.S.A. 2007 Supp. 72-8249 is hereby amended to read as
 33 follows: 72-8249. (a) ~~There is hereby established in every school district~~
 34 ~~a special reserve fund. Moneys in such fund shall be used~~ *may be ex-*
 35 *pended from the general fund of the district to:*

36 (1) Pay claims, judgments, expenses and other purposes relating to
 37 health care services, disability income benefits and group life insurance
 38 benefits as authorized by K.S.A. 72-8415a, and amendments thereto;

39 (2) pay costs relating to uninsured losses; and

40 (3) pay the cost of workers compensation insurance and workers com-
 41 pensation claims, awards, expenses and other purposes authorized by the
 42 workers compensation act.

43 (b) ~~Any balance remaining in the special reserve fund at the end of~~

1 ~~the budget year shall be carried forward into that reserve fund for suc-~~
 2 ~~ceeding budget years. Such fund Expenditures of money for purposes~~
 3 ~~specified in subsection (a) shall not be subject to the provisions of K.S.A.~~
 4 ~~79-2925 through 79-2937, and amendments thereto. In preparing the~~
 5 ~~budget of such school district, the amounts credited to and the amount~~
 6 ~~on hand in the special reserve fund, and the amount expended therefrom~~
 7 ~~shall be included in the annual budget for the information of the residents~~
 8 ~~of the school district. Interest earned on the investment of moneys in any~~
 9 ~~such fund shall be credited to that fund.~~

10 *All moneys in the special reserve fund on June 30, 2008, and all liabil-*
 11 *ities relating thereto shall be transferred to the general fund of the school*
 12 *district.*

13 Sec. 18. K.S.A. 2007 Supp. 72-8250 is hereby amended to read as
 14 follows: 72-8250. (a) ~~There is hereby established in every school district~~
 15 ~~a textbook and student materials revolving fund. Moneys in such fund~~
 16 ~~shall be used may be expended from the general fund of the district to:~~

17 (1) Purchase any items designated in K.S.A. 72-5389, and amend-
 18 ments thereto;

19 (2) pay the cost of materials or other items used in curricular, extra-
 20 curricular or other school-related activities; and

21 (3) purchase textbooks as authorized by K.S.A. 72-4141, and amend-
 22 ments thereto.

23 (b) ~~Any balance remaining in the textbook and student materials re-~~
 24 ~~volving fund at the end of the budget year shall be carried forward into~~
 25 ~~that fund for succeeding budget years. Such fund Expenditures of money~~
 26 ~~for purposes specified in subsection (a) shall not be subject to the provi-~~
 27 ~~sions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In~~
 28 ~~preparing the budget of such school district, the amounts credited to and~~
 29 ~~the amount on hand in the textbook and student materials revolving fund,~~
 30 ~~and the amount expended therefrom shall be included in the annual~~
 31 ~~budget for the information of the residents of the school district. Interest~~
 32 ~~earned on the investment of moneys in any such fund shall be credited~~
 33 ~~to that fund. All moneys in the textbook and student materials revolving~~
 34 ~~fund on June 30, 2008, and all liabilities relating thereto shall be trans-~~
 35 ~~ferred to the general fund of the school district.~~

36 Sec. 19. K.S.A. 2007 Supp. 72-9509 is hereby amended to read as
 37 follows: 72-9509. (a) ~~There is hereby established in every school district~~
 38 ~~a fund which shall be called the bilingual education fund, which fund~~
 39 ~~shall consist of all moneys deposited therein or transferred thereto ac-~~
 40 ~~cording to law. The expenses of a district directly attributable to such~~
 41 ~~bilingual education programs shall be paid from the bilingual education~~
 42 ~~fund general fund of the district.~~

43 (b) ~~Any balance remaining in the bilingual education fund at the end~~

1 of the budget year shall be carried forward into the bilingual education
2 fund for succeeding budget years. Such fund shall not be subject to the
3 provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.
4 In preparing the budget of such school district, the amounts credited to
5 and the amount on hand in the bilingual education fund, and the amount
6 expended therefrom shall be included in the annual budget for the in-
7 formation of the residents of the school district. Interest earned on the
8 investment of moneys in any such fund shall be credited to that fund. *All*
9 *moneys in the bilingual education fund on June 30, 2008, and all liabilities*
10 *relating thereto shall be transferred to the general fund of the school*
11 *district.*

12 (c) Each year the board of education of each school district shall
13 prepare and submit to the state board a report on the bilingual education
14 program and assistance provided by the district. Such report shall include
15 information specifying the number of pupils who were served or provided
16 assistance, the type of service provided, the research upon which the
17 district relied in determining that a need for service or assistance existed,
18 the results of providing such service or assistance and any other infor-
19 mation required by the state board.

20 Sec. 20. K.S.A. 2007 Supp. 72-9609 is hereby amended to read as
21 follows: 72-9609. ~~There is hereby established in every school district a~~
22 ~~fund which shall be called the professional development fund, which fund~~
23 ~~shall consist of all moneys deposited therein or transferred thereto ac-~~
24 ~~cording to law.~~ All moneys received by the school district from whatever
25 source for professional development programs established under this act
26 shall be credited to the ~~fund established by this section~~ *general fund of*
27 *the district.* The expenses of a school district directly attributable to pro-
28 fessional development programs shall be paid from the ~~professional de-~~
29 ~~velopment~~ *general fund.*

30 *All moneys in the professional development fund on June 30, 2008, and*
31 *all liabilities relating thereto shall be transferred to the general fund of*
32 *the school district.*

33 Sec. 21. K.S.A. 72-1726, 72-3607, 72-4523, 72-4525, 72-5119, 72-
34 6420, 72-6422, 72-6423, 72-8210, 72-8237 and 72-8238 and K.S.A. 2007
35 Supp. 72-6414a, 72-6414b, 72-6421, 72-6451, 72-8248, 72-8249, 72-8250,
36 72-9509 and 72-9609 are hereby repealed.

37 Sec. 22. This act shall take effect and be in force from and after its
38 publication in the statute book.