

**HOUSE BILL No. 2257**

By Representative Otto

2-9

1 AN ACT concerning school districts; relating to supplemental general  
2 state aid; statewide levy for public schools, exemption therefrom;  
3 income tax checkoff for school district contributions; voluntary wage  
4 withholding for school district contributions, requirements and  
5 procedures; amending K.S.A. 2010 Supp. 72-6407, 72-6431, 72-  
6 6433d, 72-6434, 74-4939a and 79-201x and repealing the existing  
7 sections.

8  
9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. (a) There is hereby established in every school  
11 district a fund which shall be called the school district enhancement fund,  
12 which fund shall consist of all moneys deposited therein or transferred  
13 thereto according to law. Moneys in the school district enhancement fund  
14 shall be used solely for expenses incurred by the district in making  
15 district enhancements.

16 (b) As used in this section:

17 (1) "Basic instruction" means the activities dealing directly with the  
18 interaction between teachers and students whether provided in a school  
19 classroom, another location or through a different medium, such as the  
20 internet, television, radio or correspondence. The term "basic instruction"  
21 also includes the activities of aides and classroom assistants, including,  
22 but not limited to, clerks, graders and teaching machines which assist in  
23 the instructional process.

24 (2) "District enhancements" means: (A) The construction, repair,  
25 renovation or other improvement of any district facilities; (B) purchasing,  
26 leasing or otherwise acquiring equipment, uniforms and other items used  
27 for district-sponsored athletics and other extracurricular activities; and  
28 (C) any other improvements to the school district that are not directly  
29 attributable to basic instruction.

30 New Sec. 2. (a) For tax year 2011, and all tax years thereafter,  
31 each Kansas state individual income tax return form shall contain a  
32 designation as follows:

33 Unified school district no. \_\_\_\_ enhancement fund. Check if you wish  
34 to donate, in addition to your tax liability, or designate from your refund,  
35 \$ \_\_\_\_\_.

36 (b) The director of taxation shall determine annually the total

1 amount designated for contribution as provided by subsection (a) for each  
2 unified school district, and shall report such amount to the state treasurer  
3 who shall credit such amount to the state school district enhancement  
4 fund, which is hereby established in the state treasury. In the case where  
5 donations are made as provided by subsection (a), the director shall remit  
6 the entire amount thereof for each unified school district to the state  
7 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
8 amendments thereto. Upon receipt of such remittance, the state treasurer  
9 shall deposit such amount in the state treasury to the credit of the state  
10 school district enhancement fund.

11 (c) On July 1 of each year, or as soon thereafter as such moneys are  
12 available, the state treasurer shall issue warrants payable to the district  
13 treasurer of each school district in an amount equal to the aggregate  
14 amount of contributions and donations designated for such school district  
15 as determined under subsection (b). Upon receipt of such warrant each  
16 district treasurer shall deposit the amount of such warrant in the school  
17 district enhancement fund established by section 1, and amendments  
18 thereto.

19 New Sec. 3. (a) Every employer who is required under federal law  
20 to withhold upon wages pursuant to the federal internal revenue code,  
21 whenever the employee or wage recipient is a resident of Kansas, such  
22 employer shall withhold and deduct from the wages of such employee an  
23 amount designated by the employee to be contributed to a school district  
24 enhancement fund established as provided in section 1, and amendments  
25 thereto, as designated by the employee.

26 (b) Every such employer shall remit such amount designated by the  
27 employee in the same manner as such employer remits withholding tax  
28 pursuant to the provisions of K.S.A. 79-3295 et seq., and amendments  
29 thereto, except that such employer shall record and keep separate  
30 amounts contributed pursuant to the provisions of this section from  
31 amounts withheld as taxes pursuant to the provisions of K.S.A. 79-3295  
32 et seq., and amendments thereto. The director of taxation shall remit the  
33 entire amount received under the provisions of this section for each  
34 unified school district to the state treasurer in accordance with the  
35 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
36 such remittance, the state treasurer shall deposit such amount in the state  
37 treasury to the credit of the state school district enhancement fund.

38 (c) Moneys credited to the state school district enhancement fund  
39 shall be distributed quarterly. On January 1, April 1, July 1 and October 1  
40 of each year, or as soon thereafter as such moneys are available, the state  
41 treasurer shall issue warrants payable to the district treasurer of each  
42 school district in an amount equal to the aggregate amount of  
43 contributions designated for such school district as determined under

1 subsection (b). Upon receipt of such warrant each district treasurer shall  
2 deposit the amount of such warrant in the school district enhancement  
3 fund established by section 1, and amendments thereto.

4 (d) The secretary may adopt rules and regulations necessary to  
5 administer the provisions of this section.

6 New Sec. 4. On and after the effective date of this act for each fiscal  
7 year commencing with fiscal year 2012, notwithstanding the provisions  
8 of K.S.A. 74-4920, and amendments thereto, the employer contribution  
9 rate for participating employers who are eligible employers as specified  
10 in subsection (1) of K.S.A. 74-4931, and amendments thereto, shall be a  
11 rate equal to the employer contribution rate established pursuant to  
12 K.S.A. 74-4939, and amendments thereto, plus 2%. The employer  
13 contributions required by this section shall be paid by each school district  
14 in accordance with K.S.A. 74-4939a, and amendments thereto.

15 Sec. 5. K.S.A. 2010 Supp. 72-6407 is hereby amended to read as  
16 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly  
17 enrolled in a district and attending kindergarten or any of the grades one  
18 through 12 maintained by the district or who is regularly enrolled in a  
19 district and attending kindergarten or any of the grades one through 12 in  
20 another district in accordance with an agreement entered into under  
21 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly  
22 enrolled in a district and attending special education services provided for  
23 preschool-aged exceptional children by the district.

24 (2) Except as otherwise provided in paragraph (3) of this subsection,  
25 a pupil in attendance full time shall be counted as one pupil. A pupil in  
26 attendance part time shall be counted as that proportion of one pupil (to  
27 the nearest  $\frac{1}{10}$ ) that the pupil's attendance bears to full-time attendance. A  
28 pupil attending kindergarten shall be counted as  $\frac{1}{2}$  pupil. A pupil enrolled  
29 in and attending an institution of postsecondary education which is  
30 authorized under the laws of this state to award academic degrees shall be  
31 counted as one pupil if the pupil's postsecondary education enrollment  
32 and attendance together with the pupil's attendance in either of the grades  
33 11 or 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be counted as that  
34 proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the total time of the pupil's  
35 postsecondary education attendance and attendance in grade 11 or 12, as  
36 applicable, bears to full-time attendance. A pupil enrolled in and attending  
37 an area vocational school, area vocational-technical school or approved  
38 vocational education program shall be counted as one pupil if the pupil's  
39 vocational education enrollment and attendance together with the pupil's  
40 attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise  
41 the pupil shall be counted as that proportion of one pupil (to the nearest  
42  $\frac{1}{10}$ ) that the total time of the pupil's vocational education attendance and  
43 attendance in any of grades nine through 12 bears to full-time attendance.

1 A pupil enrolled in a district and attending a non-virtual school and also  
2 attending a virtual school shall be counted as that proportion of one pupil  
3 (to the nearest  $\frac{1}{10}$ ) that the pupil's attendance at the non-virtual school  
4 bears to full-time attendance. Except as provided by this section for  
5 preschool-aged exceptional children and virtual school pupils, a pupil  
6 enrolled in a district and attending special education and related services,  
7 provided for by the district shall be counted as one pupil. A pupil enrolled  
8 in a district and attending special education and related services provided  
9 for by the district and also attending a virtual school shall be counted as  
10 that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the pupil's attendance  
11 at the non-virtual school bears to full-time attendance. A pupil enrolled in  
12 a district and attending special education and related services for  
13 preschool-aged exceptional children provided for by the district shall be  
14 counted as  $\frac{1}{2}$  pupil. A preschool-aged at-risk pupil enrolled in a district  
15 and receiving services under an approved at-risk pupil assistance plan  
16 maintained by the district shall be counted as  $\frac{1}{2}$  pupil. A pupil in the  
17 custody of the secretary of social and rehabilitation services or in the  
18 custody of the commissioner of juvenile justice and enrolled in unified  
19 school district No. 259, Sedgwick county, Kansas, but housed,  
20 maintained, and receiving educational services at the Judge James V.  
21 Riddel Boys Ranch, shall be counted as two pupils. ~~Except as provided in~~  
22 ~~section 1 of chapter 76 of the 2009 Session Laws of the state of Kansas,~~  
23 ~~and amendments thereto, a pupil in the custody of the secretary of social~~  
24 ~~and rehabilitation services or in the custody of the commissioner of~~  
25 ~~juvenile justice and enrolled in unified school district No. 409, Atchison,~~  
26 ~~Kansas, but housed, maintained and receiving educational services at the~~  
27 ~~youth residential center located on the grounds of the former Atchison~~  
28 ~~juvenile correctional facility, shall be counted as two pupils.~~

29 (3) A pupil residing at the Flint Hills job corps center shall not be  
30 counted. A pupil confined in and receiving educational services provided  
31 for by a district at a juvenile detention facility shall not be counted. A  
32 pupil enrolled in a district but housed, maintained, and receiving  
33 educational services at a state institution or a psychiatric residential  
34 treatment facility shall not be counted.

35 (b) "Preschool-aged exceptional children" means exceptional  
36 children, except gifted children, who have attained the age of three years  
37 but are under the age of eligibility for attendance at kindergarten.

38 (c) "At-risk pupils" means pupils who are eligible for free meals  
39 under the national school lunch act and who are enrolled in a district  
40 which maintains an approved at-risk pupil assistance plan.

41 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has  
42 attained the age of four years, is under the age of eligibility for attendance  
43 at kindergarten, and has been selected by the state board in accordance

1 with guidelines consonant with guidelines governing the selection of  
2 pupils for participation in head start programs.

3 (e) "Enrollment" means: (1) (A) Subject to the provisions of  
4 paragraph (1)(B), for districts scheduling the school days or school hours  
5 of the school term on a trimestral or quarterly basis, the number of pupils  
6 regularly enrolled in the district on September 20 plus the number of  
7 pupils regularly enrolled in the district on February 20 less the number of  
8 pupils regularly enrolled on February 20 who were counted in the  
9 enrollment of the district on September 20; and for districts not specified  
10 in this paragraph (1), the number of pupils regularly enrolled in the  
11 district on September 20; (B) a pupil who is a foreign exchange student  
12 shall not be counted unless such student is regularly enrolled in the  
13 district on September 20 and attending kindergarten or any of the grades  
14 one through 12 maintained by the district for at least one semester or two  
15 quarters or the equivalent thereof;

16 (2) if enrollment in a district in any school year has decreased from  
17 enrollment in the preceding school year, enrollment of the district in the  
18 current school year means whichever is the greater of (A) enrollment in  
19 the preceding school year minus enrollment in such school year of  
20 preschool-aged at-risk pupils, if any such pupils were enrolled, plus  
21 enrollment in the current school year of preschool-aged at-risk pupils, if  
22 any such pupils are enrolled, or (B) the sum of enrollment in the current  
23 school year of preschool-aged at-risk pupils, if any such pupils are  
24 enrolled and the average (mean) of the sum of (i) enrollment of the  
25 district in the current school year minus enrollment in such school year of  
26 preschool-aged at-risk pupils, if any such pupils are enrolled and (ii)  
27 enrollment in the preceding school year minus enrollment in such school  
28 year of preschool-aged at-risk pupils, if any such pupils were enrolled  
29 and (iii) enrollment in the school year next preceding the preceding  
30 school year minus enrollment in such school year of preschool-aged at-  
31 risk pupils, if any such pupils were enrolled; or

32 (3) the number of pupils as determined under K.S.A. 72-6447 or  
33 K.S.A. 2010 Supp. 72-6448, and amendments thereto.

34 (f) "Adjusted enrollment" means: (1) Enrollment adjusted by adding  
35 at-risk pupil weighting, program weighting, low enrollment weighting, if  
36 any, high density at-risk pupil weighting, if any, medium density at-risk  
37 pupil weighting, if any, nonproficient pupil weighting, if any, high  
38 enrollment weighting, if any, declining enrollment weighting, if any,  
39 school facilities weighting, if any, ancillary school facilities weighting, if  
40 any, cost of living weighting, if any, special education and related  
41 services weighting, *KPERS weighting* and transportation weighting to  
42 enrollment; or (2) adjusted enrollment as determined under K.S.A. 2010  
43 Supp. 72-6457 or 72-6458, and amendments thereto.

1 (g) "At-risk pupil weighting" means an addend component assigned  
2 to enrollment of districts on the basis of enrollment of at-risk pupils.

3 (h) "Program weighting" means an addend component assigned to  
4 enrollment of districts on the basis of pupil attendance in educational  
5 programs which differ in cost from regular educational programs.

6 (i) "Low enrollment weighting" means an addend component  
7 assigned to enrollment of districts pursuant to K.S.A. 72-6412, and  
8 amendments thereto, on the basis of costs attributable to maintenance of  
9 educational programs by such districts in comparison with costs  
10 attributable to maintenance of educational programs by districts having to  
11 which high enrollment weighting is assigned pursuant to K.S.A. 2010  
12 Supp. 72-6442b, and amendments thereto.

13 (j) "School facilities weighting" means an addend component  
14 assigned to enrollment of districts on the basis of costs attributable to  
15 commencing operation of new school facilities.

16 (k) "Transportation weighting" means an addend component  
17 assigned to enrollment of districts on the basis of costs attributable to the  
18 provision or furnishing of transportation.

19 (l) "Cost of living weighting" means an addend component assigned  
20 to enrollment of districts to which the provisions of K.S.A. 2010 Supp.  
21 72-6449, and amendments thereto, apply on the basis of costs attributable  
22 to the cost of living in the district.

23 (m) "Ancillary school facilities weighting" means an addend  
24 component assigned to enrollment of districts to which the provisions of  
25 K.S.A. 72-6441, and amendments thereto, apply on the basis of costs  
26 attributable to commencing operation of new school facilities. Ancillary  
27 school facilities weighting may be assigned to enrollment of a district  
28 only if the district has levied a tax under authority of K.S.A. 72-6441, and  
29 amendments thereto, and remitted the proceeds from such tax to the state  
30 treasurer. Ancillary school facilities weighting is in addition to  
31 assignment of school facilities weighting to enrollment of any district  
32 eligible for such weighting.

33 (n) "Juvenile detention facility" has the meaning ascribed thereto by  
34 K.S.A. 72-8187, and amendments thereto.

35 (o) "Special education and related services weighting" means an  
36 addend component assigned to enrollment of districts on the basis of  
37 costs attributable to provision of special education and related services for  
38 pupils determined to be exceptional children.

39 (p) "Virtual school" means any school or educational program that:  
40 (1) Is offered for credit; (2) uses distance-learning technologies which  
41 predominately use internet-based methods to deliver instruction; (3)  
42 involves instruction that occurs asynchronously with the teacher and  
43 pupil in separate locations; (4) requires the pupil to make academic

1 progress toward the next grade level and matriculation from kindergarten  
2 through high school graduation; (5) requires the pupil to demonstrate  
3 competence in subject matter for each class or subject in which the pupil  
4 is enrolled as part of the virtual school; and (6) requires age-appropriate  
5 pupils to complete state assessment tests.

6 (q) "Declining enrollment weighting" means an addend component  
7 assigned to enrollment of districts to which the provisions of K.S.A. 2010  
8 Supp. 72-6451, and amendments thereto, apply on the basis of reduced  
9 revenues attributable to the declining enrollment of the district.

10 (r) "High enrollment weighting" means an addend component  
11 assigned to enrollment of districts pursuant to K.S.A. 2010 Supp. 72-  
12 6442b, and amendments thereto, on the basis of costs attributable to  
13 maintenance of educational programs by such districts as a correlate to  
14 low enrollment weighting assigned to enrollment of districts pursuant to  
15 K.S.A. 72-6412, and amendments thereto.

16 (s) "High density at-risk pupil weighting" means an addend  
17 component assigned to enrollment of districts to which the provisions of  
18 K.S.A. 2010 Supp. 72-6455, and amendments thereto, apply.

19 (t) "Nonproficient pupil" means a pupil who is not eligible for free  
20 meals under the national school lunch act and who has scored less than  
21 proficient on the mathematics or reading state assessment during the  
22 preceding school year and who is enrolled in a district which maintains  
23 an approved proficiency assistance plan.

24 (u) "Nonproficient pupil weighting" means an addend component  
25 assigned to enrollment of districts on the basis of enrollment of  
26 nonproficient pupils pursuant to K.S.A. 2010 Supp. 72-6454, and  
27 amendments thereto.

28 (v) "Psychiatric residential treatment facility" has the meaning  
29 ascribed thereto by K.S.A. 72-8187, and amendments thereto.

30 (w) "Medium density at-risk pupil weighting" means an addend  
31 component assigned to enrollment of districts to which the provisions of  
32 K.S.A. 2010 Supp. 72-6459, and amendments thereto, apply.

33 (x) *"KPERs weighting" means an addend component assigned to*  
34 *enrollment of districts on the basis of costs attributable to school*  
35 *districts' employer contributions to the Kansas public employees*  
36 *retirement system.*

37 Sec. 6. K.S.A. 2010 Supp. 72-6431 is hereby amended to read as  
38 follows: 72-6431. (a) The board of each district shall levy an ad valorem  
39 tax upon the taxable tangible property of the district in the school years  
40 specified in subsection (b) for the purpose of:

41 (1) Financing that portion of the district's general fund budget which  
42 is not financed from any other source provided by law;

43 (2) paying a portion of the costs of operating and maintaining public

1 schools in partial fulfillment of the constitutional obligation of the  
2 legislature to finance the educational interests of the state; and

3 (3) with respect to any redevelopment district established prior to  
4 July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto,  
5 paying a portion of the principal and interest on bonds issued by cities  
6 under authority of K.S.A. 12-1774, and amendments thereto, for the  
7 financing of redevelopment projects upon property located within the  
8 district.

9 (b) The tax required under subsection (a) shall be levied at a rate of  
10 ~~20~~ 25 mills in the school year ~~2009-2010~~ 2011-2012 and *at a rate of 35*  
11 *mills in the school year ~~2010-2011~~ 2012-2013.*

12 (c) The proceeds from the tax levied by a district under authority of  
13 this section, except the proceeds of such tax levied for the purpose of  
14 paying a portion of the principal and interest on bonds issued by cities  
15 under authority of K.S.A. 12-1774, and amendments thereto, for the  
16 financing of redevelopment projects upon property located within the  
17 district, shall be deposited in the general fund of the district.

18 (d) On June 6 of each year, the amount, if any, by which a district's  
19 local effort exceeds the amount of the district's state financial aid, as  
20 determined by the state board, shall be remitted to the state treasurer.  
21 Upon receipt of any such remittance, the state treasurer shall deposit the  
22 same in the state treasury to the credit of the state school district finance  
23 fund.

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

26 Sec. 7. K.S.A. 2010 Supp. 72-6433d is hereby amended to read as  
27 follows: 72-6433d. (a) (1) The provisions of this subsection shall apply in  
28 any school year in which the amount of base state aid per pupil is \$4,433  
29 or less.

30 (2) The board of any school district may adopt a local option budget  
31 which does not exceed the local option budget calculated as if the base  
32 state aid per pupil was \$4,433 or which does not exceed an amount as  
33 authorized by K.S.A. 72-6433, and amendments thereto, whichever is  
34 greater.

35 (b) (1) The provisions of this subsection shall apply in any school  
36 year in which the amount appropriated for state aid for special education  
37 and related services is less than the amount appropriated for state aid for  
38 special education and related services in school year 2008-2009.

39 (2) The board of education of any school district may adopt a local  
40 option budget which does not exceed the local option budget calculated  
41 as if the district received state aid for special education and related  
42 services equal to the amount of state aid for special education and related  
43 services received in school year 2008-2009, or which does not exceed an

1 amount as authorized by K.S.A. 72-6433, and amendments thereto,  
2 whichever is greater.

3 (c) The board of education of any school district may exercise the  
4 authority granted under subsection (a) or (b) or both subsections (a) and  
5 (b).

6 (d) To the extent that the provisions of K.S.A. 72-6433, and  
7 amendments thereto, conflict with this section, this section shall control.

8 (e) ~~The provisions of this section shall expire on June 30, 2012. The~~  
9 *local option budget of a school district adopting a local option budget*  
10 *under this section shall be determined as follows:*

11 (1) *Determine the adjusted enrollment of the school district,*  
12 *excluding special education weighting;*

13 (2) *multiply the number determined under paragraph (1) by \$4,433;*

14 (3) *add the amount of state aid for special education or related*  
15 *services received by the school district in school year 2009-2010 to the*  
16 *product obtained under paragraph (2);*

17 (4) *add the amount disbursed to the school district in the current*  
18 *school year under K.S.A. 2010 Supp. 74-4939a, and amendments thereto;*  
19 *and*

20 (5) *multiply the sum obtained under paragraph (4) by the*  
21 *percentage of the state financial aid stated in the local option budget*  
22 *resolution adopted by the board of education. The resulting product is*  
23 *the local option budget of the school district.*

24 Sec. 8. K.S.A. 2010 Supp. 72-6434 is hereby amended to read as  
25 follows: 72-6434. (a) In each school year, each district that has adopted a  
26 local option budget is eligible for entitlement to an amount of  
27 supplemental general state aid. Except as provided by K.S.A. 2010 Supp.  
28 72-6434b, and amendments thereto, entitlement of a district to  
29 supplemental general state aid shall be determined by the state board as  
30 provided in this subsection. The state board shall:

31 (1) Determine the amount of the assessed valuation per pupil in the  
32 preceding school year of each district in the state;

33 (2) rank the districts from low to high on the basis of the amounts of  
34 assessed valuation per pupil determined under *paragraph (1)*;

35 (3) identify the amount of the assessed valuation per pupil located at  
36 the ~~81.2~~ *91.09* percentile of the amounts ranked under *paragraph (2)*;

37 (4) divide the assessed valuation per pupil of the district in the  
38 preceding school year by the amount identified under *paragraph (3)*;

39 (5) ~~subtract the ratio obtained under (4) from 1.0. If the resulting~~  
40 ~~ratio equals or exceeds 1.0, the eligibility of the district for entitlement to~~  
41 ~~supplemental general state aid shall lapse. If the resulting ratio is less than~~  
42 ~~1.0, the district is entitled to receive supplemental general state aid in an~~  
43 ~~amount which shall be determined by the state board by multiplying the~~

1 ~~amount of the local option budget of the district by such ratio. The~~  
2 ~~product is the amount of supplemental general state aid the district is~~  
3 ~~entitled to receive for the school year. (A) If the quotient obtained under~~  
4 ~~paragraph (4) is less than 1.0, the state board shall subtract the quotient~~  
5 ~~under paragraph (4) from 1.0 and multiply the difference by the amount~~  
6 ~~of the local option budget of the district. The resulting product is the~~  
7 ~~amount of supplemental general state aid the district is entitled to receive~~  
8 ~~for the school year.~~

9 (B) *If the quotient obtained under paragraph (4) equals or exceeds*  
10 *1.0, the eligibility of the district for entitlement to supplemental general*  
11 *state aid shall lapse.*

12 (b) If the amount of appropriations for supplemental general state  
13 aid is less than the amount each district is entitled to receive for the  
14 school year, the state board shall prorate the amount appropriated among  
15 the districts in proportion to the amount each district is entitled to receive.

16 (c) The state board shall prescribe the dates upon which the  
17 distribution of payments of supplemental general state aid to school  
18 districts shall be due. Payments of supplemental general state aid shall be  
19 distributed to districts on the dates prescribed by the state board. The state  
20 board shall certify to the director of accounts and reports the amount due  
21 each district, and the director of accounts and reports shall draw a warrant  
22 on the state treasurer payable to the treasurer of the district. Upon receipt  
23 of the warrant, the treasurer of the district shall credit the amount thereof  
24 to the supplemental general fund of the district to be used for the  
25 purposes of such fund.

26 (d) If any amount of supplemental general state aid that is due to be  
27 paid during the month of June of a school year pursuant to the other  
28 provisions of this section is not paid on or before June 30 of such school  
29 year, then such payment shall be paid on or after the ensuing July 1, as  
30 soon as moneys are available therefor. Any payment of supplemental  
31 general state aid that is due to be paid during the month of June of a  
32 school year and that is paid to school districts on or after the ensuing July  
33 1 shall be recorded and accounted for by school districts as a receipt for  
34 the school year ending on the preceding June 30.

35 (e) (1) Except as provided by paragraph (2), moneys received as  
36 supplemental general state aid shall be used to meet the requirements  
37 under the school performance accreditation system adopted by the state  
38 board, to provide programs and services required by law and to improve  
39 student performance.

40 (2) Amounts of supplemental general state aid attributable to any  
41 percentage over 25% of state financial aid determined for the current  
42 school year may be transferred to the capital improvements fund of the  
43 district and the capital outlay fund of the district if such transfers are

1 specified in the resolution authorizing the adoption of a local option  
2 budget in excess of 25%.

3 (f) For the purposes of determining the total amount of state moneys  
4 paid to school districts, all moneys appropriated as supplemental general  
5 state aid shall be deemed to be state moneys for educational and support  
6 services for school districts.

7 Sec. 9. K.S.A. 2010 Supp. 74-4939a is hereby amended to read as  
8 follows: 74-4939a. On and after the effective date of this act for each  
9 fiscal year commencing with fiscal year 2005, notwithstanding the  
10 provisions of K.S.A. 74-4939, and amendments thereto, or any other  
11 statute, all moneys appropriated for the department of education from the  
12 state general fund commencing with fiscal year 2005, and each ensuing  
13 fiscal year thereafter, by appropriation act of the legislature, in the  
14 KPERs — employer contributions account and all moneys appropriated  
15 for the department of education from the state general fund or any special  
16 revenue fund for each fiscal year commencing with fiscal year 2005, and  
17 each ensuing fiscal year thereafter, by any such appropriation act in that  
18 account or any other account for payment of employer contributions for  
19 school districts, shall be distributed by the department of education to  
20 school districts in accordance with this section. Notwithstanding the  
21 provisions of K.S.A. 74-4939, and amendments thereto, the department  
22 of education shall disburse to each school district that is an eligible  
23 employer as specified in subsection (1) of K.S.A. 74-4931, and  
24 amendments thereto, an amount certified by the board of trustees of the  
25 Kansas public employees retirement system which is equal to the  
26 participating employer's obligation of such school district to the system in  
27 accordance with policies and procedures which are hereby authorized and  
28 directed to be adopted by the department of education for the purposes of  
29 this section and in accordance with any requirements prescribed by the  
30 board of trustees of the Kansas public employees retirement system.  
31 Upon receipt of each such disbursement of moneys, the school district  
32 shall deposit the entire amount thereof into ~~a~~ *the general fund of the*  
33 *school district and transfer an equal amount to the* special retirement  
34 contributions fund of the school district, which shall be established by the  
35 school district in accordance with such policies and procedures and which  
36 shall be used for the sole purpose of receiving such disbursements from  
37 the department of education and making the remittances to the system in  
38 accordance with this section and such policies and procedures. Upon  
39 receipt of each such disbursement of moneys from the department of  
40 education, the school district shall remit, in accordance with the  
41 provisions of such policies and procedures and in the manner and on the  
42 date or dates prescribed by the board of trustees of the Kansas public  
43 employees retirement system, an equal amount to the Kansas public

1 employees retirement system from the special retirement contributions  
2 fund of the school district to satisfy such school district's obligation as a  
3 participating employer. Notwithstanding the provisions of K.S.A. 74-  
4 4939, and amendments thereto, each school district that is an eligible  
5 employer as specified in subsection (1) of K.S.A. 74-4931, and  
6 amendments thereto, shall show within the budget of such school district  
7 all amounts received from disbursements into the special retirement  
8 contributions fund of such school district. Notwithstanding the provisions  
9 of any other statute, no official action of the school board of such school  
10 district shall be required to approve a remittance to the system in  
11 accordance with this section and such policies and procedures. All  
12 remittances of moneys to the system by a school district in accordance  
13 with this subsection and such policies and procedures shall be deemed to  
14 be expenditures of the school district.

15 Sec. 10. K.S.A. 2010 Supp. 79-201x is hereby amended to read as  
16 follows: 79-201x. For taxable years ~~2009 and 2010~~ *2011 and 2012*, the  
17 following described property, to the extent herein specified, shall be and  
18 is hereby exempt from the property tax levied pursuant to the provisions  
19 of K.S.A. 72-6431, and amendments thereto: Property used for residential  
20 purposes to the extent of \$20,000 of its appraised valuation.

21 Sec. 11. K.S.A. 2010 Supp. 72-6407, 72-6431, 72-6433d, 72-6434,  
22 74-4939a and 79-201x are hereby repealed.

23 Sec. 12. This act shall take effect and be in force from and after its  
24 publication in the statute book.

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