

House Substitute for SENATE BILL No. 28

By Education Budget Committee

3-15

1 AN ACT concerning school districts; relating to the adequacy of the state's
2 provision for finance of the educational interests of the state.

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

5 Section 1. (a) In any action challenging the adequacy of the state's
6 provision for finance of the educational interests of the state, no less than
7 65% of all state moneys appropriated, distributed or otherwise provided by
8 or through the state to school districts shall be deemed by the court to have
9 been expended in the classroom or for instruction, as defined in subsection
10 (d) of K.S.A. 2011 Supp. 72-64c01, and amendments thereto. Such
11 moneys shall be deemed by the court to have been first applied to pay the
12 costs related to providing the areas of instruction required by K.S.A. 72-
13 1101, 72-1103 and 72-1117, and amendments thereto, and for the course
14 included in the precollege curriculum prescribed by the state board of
15 regents pursuant to K.S.A. 76-717, and amendments thereto.

16 (b) Any party challenging the adequacy of the state's provision for
17 finance of the educational interests of the state shall have the burden, at all
18 times, to prove that state moneys appropriated, distributed or otherwise
19 provided by the state to a school district or districts, which is the subject of
20 such action, were not sufficient to fund the costs of the areas of instruction
21 required by K.S.A. 72-1101, 72-1103 and 72-1117, and amendments
22 thereto, and for courses included in the precollege curriculum prescribed
23 by the state board of regents pursuant to K.S.A. 76-717, and amendments
24 thereto.

25 (c) For purposes of determining the adequacy of the state's provision
26 for finance of the educational interests of the state, educational programs
27 that school districts are required to provide pursuant to federal law shall
28 not be included.

29 (d) The provisions of this section shall apply to all litigation pending
30 on the effective date of this act, and any lawsuit filed on or after the
31 effective date of this act.

32 Sec. 2. This act shall take effect and be in force from and after its
33 publication in the statute book.

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