

SENATE BILL No. 450

By Committee on Ways and Means

3-1

1 AN ACT concerning school districts; relating to the amount of base state
2 aid per pupil; relating to the local option budget; amending K.S.A. 2011
3 Supp. 72-6410 and 72-6433 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2011 Supp. 72-6410 is hereby amended to read as
7 follows: 72-6410. (a) "State financial aid" means an amount equal to the
8 product obtained by multiplying base state aid per pupil by the adjusted
9 enrollment of a district.

10 (b) (1) "Base state aid per pupil" means an amount of state financial
11 aid per pupil. Subject to the other provisions of this subsection, the amount
12 of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and:~~

13 (A) \$4,492 in school ~~year 2009-2010~~ years 2011-2012 and 2014-
14 2015 and each school year thereafter;

15 (B) \$3,854 in school year 2012-2013; and

16 (C) \$3,928 in school year 2013-2014.

17 (2) The amount of base state aid per pupil is subject to reduction
18 commensurate with any reduction under K.S.A. 75-6704, and amendments
19 thereto, in the amount of the appropriation from the state general fund for
20 general state aid. If the amount of appropriations for general state aid is
21 insufficient to pay in full the amount each district is entitled to receive for
22 any school year, the amount of base state aid per pupil for such school year
23 is subject to reduction commensurate with the amount of the insufficiency.

24 (c) "Local effort" means the sum of an amount equal to the proceeds
25 from the tax levied under authority of K.S.A. 72-6431, and amendments
26 thereto, and an amount equal to any unexpended and unencumbered
27 balance remaining in the general fund of the district, except amounts
28 received by the district and authorized to be expended for the purposes
29 specified in K.S.A. 72-6430, and amendments thereto, and an amount
30 equal to any unexpended and unencumbered balances remaining in the
31 program weighted funds of the district, except any amount in the
32 vocational education fund of the district if the district is operating an area
33 vocational school, and an amount equal to any remaining proceeds from
34 taxes levied under authority of K.S.A. 72-7056 and 72-7072, and
35 amendments thereto, prior to the repeal of such statutory sections, and an
36 amount equal to the amount deposited in the general fund in the current

1 school year from amounts received in such year by the district under the
2 provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto,
3 and an amount equal to the amount deposited in the general fund in the
4 current school year from amounts received in such year by the district
5 pursuant to contracts made and entered into under authority of K.S.A. 72-
6 6757, and amendments thereto, and an amount equal to the amount
7 credited to the general fund in the current school year from amounts
8 distributed in such year to the district under the provisions of articles 17
9 and 34 of chapter 12 of Kansas Statutes Annotated, *and amendments*
10 *thereto*, and under the provisions of articles 42 and 51 of chapter 79 of
11 Kansas Statutes Annotated, *and amendments thereto*, and an amount equal
12 to the amount of payments received by the district under the provisions of
13 K.S.A. 72-979, and amendments thereto, and an amount equal to the
14 amount of a grant, if any, received by the district under the provisions of
15 K.S.A. 72-983, and amendments thereto, and an amount equal to 70% of
16 the federal impact aid of the district.

17 (d) "Federal impact aid" means an amount equal to the federally
18 qualified percentage of the amount of moneys a district receives in the
19 current school year under the provisions of title I of public law 874 and
20 congressional appropriations therefor, excluding amounts received for
21 assistance in cases of major disaster and amounts received under the low-
22 rent housing program. The amount of federal impact aid defined herein as
23 an amount equal to the federally qualified percentage of the amount of
24 moneys provided for the district under title I of public law 874 shall be
25 determined by the state board in accordance with terms and conditions
26 imposed under the provisions of the public law and rules and regulations
27 thereunder.

28 Sec. 2. K.S.A. 2011 Supp. 72-6433 is hereby amended to read as
29 follows: 72-6433. (a) As used in this section:

30 (1) ~~"State prescribed percentage" means 31% of state financial aid of~~
31 ~~the district in the current school year:~~

32 (A) *For school year 2012-2013, 33% of state financial aid of the*
33 *district in such school year; and*

34 (B) *for school years 2013-2014 and each school year thereafter, 35%*
35 *of state financial aid of the district in such school year.*

36 (2) "Authorized to adopt a local option budget" means that a district
37 has adopted a resolution under this section, has published the same, and
38 either the resolution was not protested or it was protested and an election
39 was held by which the adoption of a local option budget was approved.

40 (b) In each school year, the board of any district may adopt a local
41 option budget which does not exceed the state prescribed percentage.

42 (c) Subject to the limitation of subsection (b), in each school year, the
43 board of any district may adopt, by resolution, a local option budget in an

1 amount not to exceed:

2 (1) (A) The amount which the board was authorized to adopt in
 3 accordance with the provisions of this section in effect prior to its
 4 amendment by this act; plus

5 (B) the amount which the board was authorized to adopt pursuant to
 6 any resolution currently in effect; plus

7 (C) the amount which the board was authorized to adopt pursuant to
 8 K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

9 (2) the state-wide average for the preceding school year as
 10 determined by the state board pursuant to subsection ~~(j)~~ (i).

11 ~~Except as provided by subsection (e),~~ The adoption of a resolution
 12 pursuant to this subsection shall require a majority vote of the members of
 13 the board. Such resolution shall be effective upon adoption and shall
 14 require no other procedure, authorization or approval.

15 (d) If the board of a district desires to increase its local option budget
 16 authority above the amount authorized under subsection (c) or if the board
 17 was not authorized to adopt a local option budget in 2006-2007, the board
 18 may adopt, by resolution, such budget in an amount not to exceed the state
 19 prescribed percentage. The adoption of a resolution pursuant to this
 20 subsection shall require a majority vote of the members of the board. The
 21 resolution shall be published at least once in a newspaper having general
 22 circulation in the district. The resolution shall be published in substantial
 23 compliance with the following form:

24
 25 Unified School District No. _____,
 26 _____ County, Kansas.

27 RESOLUTION

28 Be It Resolved that:

29 The board of education of the above-named school district shall be
 30 authorized to adopt a local option budget in each school year in an amount
 31 not to exceed ____% of the amount of state financial aid. The local option
 32 budget authorized by this resolution may be adopted, unless a petition in
 33 opposition to the same, signed by not less than 5% of the qualified electors
 34 of the school district, is filed with the county election officer of the home
 35 county of the school district within 30 days after publication of this
 36 resolution. If a petition is filed, the county election officer shall submit the
 37 question of whether adoption of the local option budget shall be authorized
 38 to the electors of the school district at an election called for the purpose or
 39 at the next general election, as is specified by the board of education of the
 40 school district.

41
 42 CERTIFICATE

43 This is to certify that the above resolution was duly adopted by the board

1 of education of unified School District No. ____,
 2 _____ County, Kansas, on the ___ day of _____.
 3 _____.

4 _____
 Clerk of the board of education.

5 All of the blanks in the resolution shall be filled as is appropriate. If a
 6 sufficient petition is not filed, the board may adopt a local option budget.
 7 If a sufficient petition is filed, the board may notify the county election
 8 officer of the date of an election to be held to submit the question of
 9 whether adoption of a local option budget shall be authorized. Any such
 10 election shall be noticed, called and held in the manner provided by K.S.A.
 11 10-120, and amendments thereto. If the board fails to notify the county
 12 election officer within 30 days after a sufficient petition is filed, the
 13 resolution shall be deemed abandoned and no like resolution shall be
 14 adopted by the board within the nine months following publication of the
 15 resolution.

16 ~~(e) Any resolution authorizing the adoption of a local option budget~~
 17 ~~in excess of 30% of the state financial aid of the district in the current~~
 18 ~~school year shall not become effective unless such resolution has been~~
 19 ~~submitted to and approved by a majority of the qualified electors of the~~
 20 ~~school district voting at an election called and held thereon. The election~~
 21 ~~shall be called and held in the manner provided by K.S.A. 10-120, and~~
 22 ~~amendments thereto.~~

23 ~~(f)~~ (e) Unless specifically stated otherwise in the resolution, the
 24 authority to adopt a local option budget shall be continuous and
 25 permanent. The board of any district which is authorized to adopt a local
 26 option budget may choose not to adopt such a budget or may adopt a
 27 budget in an amount less than the amount authorized. If the board of any
 28 district whose authority to adopt a local option budget is not continuous
 29 and permanent refrains from adopting a local option budget, the authority
 30 of such district to adopt a local option budget shall not be extended by
 31 such refrainment beyond the period specified in the resolution authorizing
 32 adoption of such budget.

33 ~~(g)~~ (f) The board of any district may initiate procedures to renew or
 34 increase the authority to adopt a local option budget at any time during a
 35 school year after the tax levied pursuant to K.S.A. 72-6435, and
 36 amendments thereto, is certified to the county clerk under any existing
 37 authorization.

38 ~~(h)~~ (g) The board of any district that is authorized to adopt a local
 39 option budget prior to the effective date of this act under a resolution
 40 which authorized the adoption of such budget in accordance with the
 41 provisions of this section in effect prior to its amendment by this act may
 42 continue to operate under such resolution for the period of time specified
 43 in the resolution or may abandon the resolution and operate under the

1 provisions of this section as amended by this act. Any such district shall
2 operate under the provisions of this section as amended by this act after the
3 period of time specified in the resolution has expired.

4 ~~(f)~~ (h) Any resolution adopted pursuant to this section may revoke or
5 repeal any resolution previously adopted by the board. If the resolution
6 does not revoke or repeal previously adopted resolutions, all resolutions
7 which are in effect shall expire on the same date. The maximum amount of
8 the local option budget of a school district under all resolutions in effect
9 shall not exceed the state prescribed percentage in any school year.

10 ~~(g)~~ (i) (1) There is hereby established in every district that adopts a
11 local option budget a fund which shall be called the supplemental general
12 fund. The fund shall consist of all amounts deposited therein or credited
13 thereto according to law.

14 (2) Subject to the limitation imposed under paragraph (3) and
15 subsection (e) of K.S.A. 72-6434, and amendments thereto, amounts in the
16 supplemental general fund may be expended for any purpose for which
17 expenditures from the general fund are authorized or may be transferred to
18 any program weighted fund or categorical fund of the district. Amounts in
19 the supplemental general fund attributable to any percentage over 25% of
20 state financial aid determined for the current school year may be
21 transferred to the capital improvements fund of the district and the capital
22 outlay fund of the district if such transfers are specified in the resolution
23 authorizing the adoption of a local option budget in excess of 25%.

24 (3) Amounts in the supplemental general fund may not be expended
25 for the purpose of making payments under any lease-purchase agreement
26 involving the acquisition of land or buildings which is entered into
27 pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

28 (4) (A) Except as provided in ~~paragraph~~ subparagraph (B), any
29 unexpended budget remaining in the supplemental general fund of a
30 district at the conclusion of any school year in which a local option budget
31 is adopted shall be maintained in such fund.

32 (B) If the district received supplemental general state aid in the
33 school year, the state board shall determine the ratio of the amount of
34 supplemental general state aid received to the amount of the local option
35 budget of the district for the school year and multiply the total amount of
36 the unexpended budget remaining by such ratio. An amount equal to the
37 amount of the product shall be transferred to the general fund of the
38 district or remitted to the state treasurer. Upon receipt of any such
39 remittance, the state treasurer shall deposit the same in the state treasury to
40 the credit of the state school district finance fund.

41 ~~(k)~~ (j) Each year the state board of education shall determine the
42 statewide average percentage of local option budgets legally adopted by
43 school districts for the preceding school year.

- 1 (+) (k) The provisions of this section shall be subject to the provisions
- 2 of K.S.A. 2011 Supp. 72-6433d, and amendments thereto.
- 3 Sec. 3. K.S.A. 2011 Supp. 72-6410 and 72-6433 are hereby repealed.
- 4 Sec. 4. This act shall take effect and be in force from and after its
- 5 publication in the statute book.