

**SENATE BILL No. 1**

By Committee on Ways and Means

6-23

1 AN ACT making and concerning appropriations for the fiscal years ending  
2 June 30, 2017, and June 30, 2018, for certain agencies; authorizing  
3 certain transfers, imposing certain restrictions and limitations, and  
4 directing or authorizing certain receipts, disbursements, procedures and  
5 acts incidental to the foregoing.  
6

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

8 Section 1. (a) For the fiscal years ending June 30, 2017, and June 30,  
9 2018, appropriations are hereby made, restrictions and limitations are  
10 hereby imposed, and transfers, capital improvement projects, fees,  
11 receipts, disbursements and acts incidental to the foregoing are hereby  
12 directed or authorized as provided in this act.

13 (b) The appropriations made by this act shall not be subject to the  
14 provisions of K.S.A. 46-155, and amendments thereto.

15 Sec. 2.

DEPARTMENT OF EDUCATION

16  
17 (a) There is appropriated for the above agency from the state general  
18 fund for the fiscal year ending June 30, 2017, the following:

19 Supplemental general state aid.....\$99,408,027

20 *Provided*, That notwithstanding the provisions of section 3 of 2016  
21 Senate Substitute for House Bill No. 2655, and amendments thereto,  
22 expenditures shall be made by the above agency from the supplemental  
23 general state aid account of the department of education for fiscal year  
24 2017, for the purpose of providing supplemental general state aid to each  
25 school district that has adopted a local option budget in accordance with  
26 K.S.A. 2015 Supp. 72-6471, and amendments thereto, as follows:

27 *Provided further*, That for each school district, the state board of education  
28 shall: (1) Determine the amount of the assessed valuation per pupil in the  
29 preceding school year of each school district in the state; (2) rank the  
30 districts from low to high on the basis of the amounts of assessed valuation  
31 per pupil determined under (1); (3) identify the amount of the assessed  
32 valuation per pupil located at the 81.2 percentile of the amounts ranked  
33 under (2); (4) divide the assessed valuation per pupil of the district in the  
34 preceding school year by the amount identified under (3); and (5) if the  
35 quotient obtained under (4) is less than one, subtract the quotient obtained  
36 under (4) from one, and multiply such difference by the amount of the

1 local option budget of the school district: *And provided further*; That the  
2 resulting product is the amount of supplemental general state aid the the  
3 above agency shall distribute to such school district: *And provided further*;  
4 That if the quotient obtained under (4) equals or exceeds one, the above  
5 agency shall not distribute supplemental general state aid in any amount to  
6 such school district: *And provided further*; That payments of supplemental  
7 general state aid shall be distributed to school districts on the dates  
8 prescribed by the state board of education: *And provided further*; That the  
9 state board of education shall certify to the director of accounts and reports  
10 the amount of supplemental general state aid that is to be distributed to  
11 each school district, and the director of accounts and reports shall draw a  
12 warrant on the state treasurer payable to the treasurer of the school district,  
13 and upon receipt of the warrant, the treasurer of the school district shall  
14 credit the amount thereof to the supplemental general fund of the school  
15 district to be used for the purposes of such fund: *And provided further*;  
16 That if any amount of supplemental general state aid that is due to be paid  
17 during the month of June of fiscal year 2017 is not paid on or before June  
18 30 of fiscal year 2017, then such payment shall be paid on or after the  
19 ensuing July 1, as soon as moneys are available therefor, and any payment  
20 of supplemental general state aid that is due to be paid during the month of  
21 June of fiscal year 2017 and that is paid to school districts on or after the  
22 ensuing July 1 shall be recorded and accounted for by school districts as a  
23 receipt for the school year ending on the preceding June 30.

24 (b) Notwithstanding the provisions of K.S.A. 2015 Supp. 72-6465, as  
25 amended by section 7 of 2016 Senate Substitute for House Bill No. 2655,  
26 and amendments thereto, expenditures made by the above agency from the  
27 block grants to USDs account of the department of education for fiscal  
28 year 2017 shall be determined by the state board of education such that  
29 each school district shall receive an amount of general state aid that is  
30 equal to the amount of general state aid for such school district for fiscal  
31 year 2017 as determined pursuant to K.S.A. 2015 Supp 72-6465, as  
32 amended by section 7 of 2016 Senate Substitute for House Bill No. 2655,  
33 and amendments thereto, multiplied by 99.5%.

34 (c) On July 1, 2016, of the \$2,759,751,285 appropriated for the above  
35 agency for the fiscal year ending June 30, 2017, by section 54(c) of 2016  
36 House Substitute for Senate Bill No. 161 from the state general fund in the  
37 block grants to USDs account (652-00-1000-0500), the sum of  
38 \$15,800,000 is hereby lapsed.

39 (d) Notwithstanding the provisions of K.S.A. 2015 Supp. 72-3715,  
40 and amendments thereto, in addition to the other purposes for which  
41 expenditures may be made by the above agency from the block grants to  
42 USDs account of the department of education for fiscal year 2017, by  
43 section 54(c) of 2016 House Substitute for Senate Bill No. 161,

1 expenditures from the block grants to USDs account of the department of  
2 education that are directly attributable to virtual school state aid shall be  
3 distributed as follows: *Provided*, That for each school district, the state  
4 board of education shall: (1) Determine the number of pupils enrolled in  
5 virtual school on a full-time basis, excluding those pupils who are over 18  
6 years of age, and multiply the total number of such pupils by \$5,000; (2)  
7 determine the full-time equivalent enrollment of pupils enrolled in virtual  
8 school on a part-time basis, excluding those pupils who are over 18 years  
9 of age, and multiply the total full-time equivalent enrollment of such  
10 pupils by \$1,700; (3) for pupils enrolled in a virtual school who are over  
11 18 years of age, determine the number of one-hour credit courses such  
12 pupils have passed and multiply the total number of such courses by \$933;  
13 and (4) add the amounts calculated under (1) through (3): *Provided*  
14 *further*; That the resulting sum is the total amount of virtual school state  
15 aid for such school district for fiscal year 2017.

16 (e) On July 1, 2016, the \$61,792,947 appropriated for the above  
17 agency for the fiscal year ending June 30, 2017, by section 1(a) of 2016  
18 Senate Substitute for House Bill No. 2655 from the state general fund in  
19 the school district equalization state aid account, is hereby lapsed:  
20 *Provided*, That the state board of education shall not make any  
21 disbursements of school district equalization state aid to any school district  
22 pursuant to section 5 of 2016 Senate Substitute for House Bill No. 2655  
23 during fiscal year 2017.

24 (f) The provisions of section 1(d), (e) and (f) of 2016 Senate  
25 Substitute for House Bill No. 2655 are hereby declared to be null and void  
26 and shall have no force and effect.

27 (g) On July 1, 2016, the expenditure limitation established for the  
28 fiscal year ending June 30, 2017, by section 3(b) of chapter 4 of the 2015  
29 Session Laws of Kansas on the school district extraordinary need fund of  
30 the department of education is hereby decreased from \$17,521,425 to  
31 \$8,000,000: *Provided, however*; That if, during the fiscal year ending June  
32 30, 2017, any transfer of moneys by the director of accounts and reports  
33 from the school district extraordinary need fund of the department of  
34 education is made pursuant to subsection (h), then the expenditure  
35 limitation established by section 3(b) of chapter 4 of the 2015 Session  
36 Laws of Kansas on the school district extraordinary need fund of the  
37 department of education is hereby decreased from \$8,000,000 to  
38 \$8,000,000 minus the amount of moneys certified by the state board of  
39 education to be transferred pursuant to subsection (h).

40 (h) On July 1, 2016, or as soon thereafter as moneys are available, the  
41 director of accounts and reports shall transfer \$8,000,000 from the state  
42 general fund to the school district extraordinary need fund of the  
43 department of education: *Provided, however*; That if sufficient moneys are

1 not available in the supplemental general state aid account of the state  
2 general fund to fully fund the provisions of subsection (a), then the state  
3 board of education shall certify the amount of moneys of such insufficient  
4 funds to the director of accounts and reports: *And provided*, That upon  
5 receipt of any such certification, the director of accounts and reports shall  
6 transfer the amount of such insufficient funds certified from the school  
7 district extraordinary need fund of the department of education to the  
8 supplemental general state aid account of the state general fund: *And*  
9 *provided however*, That if the amount of the demand transfer from the state  
10 general fund to the school district capital outlay state aid fund of the  
11 department of education pursuant to section 4(c) of 2016 Senate Substitute  
12 for House Bill No. 2655, and amendments thereto, exceeds \$50,780,296,  
13 then the state board of education shall certify the amount of moneys equal  
14 to the difference between \$50,780,296 and the amount of such demand  
15 transfer to the director of accounts and reports: *And provided*, That upon  
16 receipt of any such certification, the director of accounts and reports shall  
17 transfer the amount of such difference certified from the school district  
18 extraordinary need fund of the department of education to the school  
19 district capital outlay state aid fund of the department of education: *And*  
20 *provided further*, That, at the same time as the state board of education  
21 transmits each such certification to the director of accounts and reports, the  
22 state board of education shall transmit a copy of such certification to the  
23 director of legislative research.

24 (i) During the fiscal year ending June 30, 2017, the total amount of  
25 transfers from the school district extraordinary need fund of the  
26 department of education pursuant to this section shall not exceed  
27 \$8,000,000.

28 Sec. 3.

29 KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

30 (a) In addition to the other purposes for which expenditures may be  
31 made by the above agency from the temporary assistance to needy families  
32 federal fund for fiscal year 2017 by section 111(b) of chapter 104 of the  
33 2015 Session Laws of Kansas, section 50(e) of 2016 House Substitute for  
34 Senate Bill No. 161, this act of the 2016 special session or appropriation  
35 act of the 2016 or 2017 regular session of the legislature, expenditures  
36 shall be made by the above agency from the temporary assistance to needy  
37 families federal fund for fiscal year 2017, in an amount not less than  
38 \$4,100,000, for the purpose of providing additional funding for programs  
39 provided by the department of education: *Provided, however*, That any  
40 such programs shall: (1) Comply with requirements of the temporary  
41 assistance to needy families block grant; and (2) meet any other  
42 programmatic requirements of the federal guidelines for temporary  
43 assistance to needy families program.

1 (b) On July 1, 2016, or as soon thereafter as moneys are available, the  
2 director of accounts and reports shall transfer \$4,100,000 from the  
3 children's initiatives fund to the state general fund.

4 (c) On July 1, 2016, of the \$42,000,000 appropriated for the above  
5 agency for the fiscal year ending June 30, 2017, by section 50(d) of 2016  
6 House Substitute for Senate Bill No. 161 from the children's initiatives  
7 fund, the sum of \$4,100,000 is hereby lapsed.

8 (d) When the Kansas department for children and families authorizes  
9 an expenditure of moneys from the temporary assistance for needy  
10 families federal fund in fiscal year 2017 for additional funding for  
11 programs provided by the department of education pursuant to subsection  
12 (a), the director of the budget shall direct the director of accounts and  
13 reports to create a temporary assistance for needy families federal fund  
14 with no limit expenditure authority in the department of education, if such  
15 fund does not already exist.

16 Sec. 4. The provisions of this act are hereby declared to be severable.  
17 If any of the provisions of this act, or any application of any of the  
18 provisions of this act to any person or circumstance, is held to be invalid or  
19 unconstitutional by court order, such invalid provisions shall not affect any  
20 other provisions or applications of this act, and such other provisions or  
21 applications of this act shall be valid and in force and effect as if enacted  
22 without the invalid provisions.

23 Sec. 5. This act shall take effect and be in force from and after its  
24 publication in the statute book.