

HOUSE BILL No. 2227

By Committee on Taxation

1-31

1 AN ACT concerning property taxation; relating to the Kansas educational
2 building fund; relating to use of moneys credited thereto; amending
3 K.S.A. 76-6b02 and K.S.A. 2016 Supp. 76-6b01 and repealing the
4 existing sections.

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

7 Section 1. K.S.A. 2016 Supp. 76-6b01 is hereby amended to read as
8 follows: 76-6b01. (a) There is hereby levied an annual permanent state tax
9 upon all tangible property in this state which is subject to ad valorem
10 taxation. The tax levy shall be ~~6 mill in the year 2003 and 1 mill in the~~
11 ~~year 2004~~ *5 mills in tax year 2017* and each year thereafter until changed
12 by statute. Such tax levy shall be in addition to all other state tax levies
13 authorized by law. Such tax levy shall be for the use and benefit of the
14 state institutions of higher education. The proceeds of such tax levy shall
15 be apportioned in accordance with this act.

16 (b) The county treasurer of each county shall make the proceeds of
17 the tax levy provided for in this section available to the state treasurer
18 immediately upon collection. When available the state treasurer shall
19 withdraw from each county the proceeds of the taxes raised by such tax
20 levy. Upon such withdrawal the state treasurer shall deposit the same in the
21 state treasury and shall credit the same as provided in K.S.A. 76-6b02, *and*
22 *amendments thereto.*

23 Sec. 2. K.S.A. 76-6b02 is hereby amended to read as follows: 76-
24 6b02. (a) All moneys received by the state treasurer under K.S.A. 76-6b01,
25 and amendments thereto, shall be credited to the Kansas educational
26 building fund ~~to be~~. *Moneys credited to the fund shall be used for: (1) The*
27 *construction, reconstruction, equipment and repair of buildings and*
28 *grounds at the state educational institutions under the control and*
29 *supervision of the state board of regents; (2) increasing information*
30 *technology connectivity within and between campuses of such institutions*
31 *and to international research centers; (3) the construction and*
32 *reconstruction of facilities that will benefit the education and employment*
33 *potential of Kansas students and the research capabilities of state*
34 *educational institution faculty to improve the health and employment*
35 *potential of Kansans; and (4) for payment of debt service on revenue*
36 *bonds issued to finance such projects, all subject to appropriation by the*

1 legislature.

2 (b) *The Kansas education building fund shall be a no limit fund and*
3 *shall be administered by the state board of regents. The state board of*
4 *regents shall have exclusive control over the expenditure of moneys in the*
5 *Kansas education building fund and shall prioritize the expenditure of*
6 *moneys for those purposes set forth in subsection (a). On or before August*
7 *1 of each year, the state board of regents shall submit to the legislature an*
8 *accounting report of all moneys expended from the Kansas education*
9 *building fund during the prior fiscal year. All expenditures from the*
10 *Kansas education building fund shall be made in accordance with*
11 *appropriation acts upon warrants of the director of accounts and reports*
12 *issued pursuant to vouchers approved by the president of the state board*
13 *of regents, or the president's designee.*

14 (c) Subject to any restrictions imposed by appropriation acts, the state
15 board of regents is authorized to pledge funds ~~appropriated to it from~~
16 *credited to* the Kansas educational building fund or from any other source
17 and transferred to a special revenue fund of the state board of regents
18 specified by statute for the payment of debt service on revenue bonds
19 issued for the purposes set forth in subsection (a). Subject to any
20 restrictions imposed by appropriation acts, the state board of regents is
21 also authorized to pledge any funds ~~appropriated to it from~~ *credited to* the
22 Kansas educational building fund or from any other source and transferred
23 to a special revenue fund of the state board of regents specified by statute
24 as a priority for the payment of debt service on such revenue bonds.
25 Neither the state or the state board of regents shall have the power to
26 pledge the faith and credit or taxing power of the state of Kansas for such
27 purposes and any payment by the state board of regents for such purposes
28 shall be subject to and dependent on appropriations being made from time
29 to time by the legislature. Any obligation of the state board of regents for
30 payment of debt service on revenue bonds and any such revenue bonds
31 issued for the purposes set forth in subsection (a) shall not be considered a
32 debt or obligation of the state for the purpose of section 6 of article 11 of
33 the constitution of the state of Kansas.

34 Sec. 3. K.S.A. 76-6b02 and K.S.A. 2016 Supp. 76-6b01 are hereby
35 repealed.

36 Sec. 4. This act shall take effect and be in force from and after its
37 publication in the statute book.