

Session of 2019

SENATE BILL No. 190

By Committee on Ways and Means

2-14

1 AN ACT concerning transportation; relating to ~~new road construction~~ for
2 bridge improvement plans; authorizing transfers from the state general
3 fund to the local ad valorem tax reduction fund and county and city
4 revenue sharing fund if certain conditions are met; amending K.S.A.
5 2018 Supp. 79-2959 and 79-2964 and repealing the existing sections.
6

expansion or modernization of roads

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

8 Section 1. K.S.A. 2018 Supp. 79-2959 is hereby amended to read as
9 follows: 79-2959. (a) There is hereby created the local ad valorem tax
10 reduction fund. All moneys transferred or credited to such fund under the
11 provisions of this act or any other law shall be apportioned and distributed
12 in the manner provided herein.

13 (b) On January 15 and on July 15 of each year, the director of
14 accounts and reports shall make transfers in equal amounts which in the
15 aggregate equal 3.63% of the total retail sales and compensating taxes
16 credited to the state general fund pursuant to articles 36 and 37 of chapter
17 79 of the Kansas Statutes Annotated, and amendments thereto, during the
18 preceding calendar year from the state general fund to the local ad valorem
19 tax reduction fund, except that *subject to the provisions of subsection (d):*
20 (1) No moneys shall be transferred from the state general fund to the local
21 ad valorem tax reduction fund during state fiscal years ~~2018, 2019 and~~
22 ~~2020 through 2030~~; and (2) the amount of the transfer on each such date
23 shall be \$27,000,000 during fiscal year ~~2021-2031~~ and all fiscal years
24 thereafter. All such transfers are subject to reduction under K.S.A. 75-
25 6704, and amendments thereto. All transfers made in accordance with the
26 provisions of this section shall be considered to be demand transfers from
27 the state general fund, ~~except that all such transfers during fiscal year 2021~~
28 ~~shall be considered to be revenue transfers from the state general fund.~~

2025

2026

29 (c) The state treasurer shall apportion and pay the amounts transferred
30 under subsection (b) to the several county treasurers on January 15 and on
31 July 15 in each year as follows: (1) Sixty-five percent of the amount to be
32 distributed shall be apportioned on the basis of the population figures of
33 the counties certified to the secretary of state pursuant to K.S.A. 11-201,
34 and amendments thereto, on July 1 of the preceding year; and (2) thirty-
35 five percent of such amount shall be apportioned on the basis of the
36 equalized assessed tangible valuations on the tax rolls of the counties on

1 November 1 of the preceding year as certified by the director of property
2 valuation.

3 ~~(d) During fiscal years 2020 through 2030, any county may submit to~~
4 ~~the secretary of transportation a plan for new construction of a road or~~
5 ~~improvement of a bridge in such county. If the secretary approves such~~
6 ~~plan, the county shall receive such county's share of the local ad valorem~~
7 ~~tax reduction fund during the fiscal years that it takes to complete the~~
8 ~~construction or improvement, as determined by the secretary. On June 15~~
9 ~~of fiscal years 2020 through 2030, the secretary shall certify to the~~
10 ~~director of accounts and reports the aggregate amount of moneys~~
11 ~~approved by the secretary from such plans. Upon receipt of such amount,~~
12 ~~the director of accounts and reports shall transfer such amount from the~~
13 ~~state general fund to the local ad valorem tax reduction fund. The~~
14 ~~secretary shall transmit a copy of each such certification to the director of~~
15 ~~the budget and the director of legislative research.~~

See attached insert #1.

16 Sec. 2. K.S.A. 2018 Supp. 79-2964 is hereby amended to read as
17 follows: 79-2964. (a) There is hereby created the county and city revenue
18 sharing fund. All moneys transferred or credited to such fund under the
19 provisions of this act or any other law shall be allocated and distributed in
20 the manner provided herein. The director of accounts and reports in each
21 year on July 15 and December 10, shall make transfers in equal amounts
22 which in the aggregate equal 2.823% of the total retail sales and
23 compensating taxes credited to the state general fund pursuant to articles
24 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and
25 amendments thereto, during the preceding calendar year from the state
26 general fund to the county and city revenue sharing fund, except that
27 subject to the provisions of subsection (b), no moneys shall be transferred
28 from the state general fund to the county and city revenue sharing fund
29 during state fiscal years ~~2018, 2019, and 2020 through 2030~~. All such
30 transfers are subject to reduction under K.S.A. 75-6704, and amendments
31 thereto. All transfers made in accordance with the provisions of this
32 section shall be considered to be demand transfers from the state general
33 fund.

2025

34 ~~(b) During fiscal years 2020 through 2030, any city or county may~~
35 ~~submit to the secretary of transportation a plan for new construction of a~~
36 ~~road or improvement of a bridge in such city or county. If the secretary~~
37 ~~approves such plan, the city or county shall receive such city's or county's~~
38 ~~share of the county and city revenue sharing fund during the fiscal years~~
39 ~~that it takes to complete the construction or improvement, as determined~~
40 ~~by the secretary. On June 15 of fiscal years 2020 through 2030, the~~
41 ~~secretary shall certify to the director of accounts and reports the~~
42 ~~aggregate amount of moneys approved by the secretary from such plans.~~
43 ~~Upon receipt of such amount, the director of accounts and reports shall~~

INSERT #1

During fiscal years 2020 through ~~2030~~2025, any county may submit to the secretary of transportation a plan for ~~new construction~~ expansion or modernization of a road or improvement of a bridge in a city or cities in such county or such county or counties. Such plan shall include a local match from other moneys of the participating cities or counties equal to or greater than 20% of the total cost of the plan. If the secretary approves such plan, the city or county shall receive such city's or county's share of the local ad valorem tax reduction fund during the fiscal years ~~that it takes to complete the construction of~~ the life of the construction phase of the expansion, modernization or improvement project, as determined by the secretary. On June 15 of fiscal years 2020 through ~~2030~~2025, the secretary shall certify to the director of accounts and reports the aggregate amount of moneys approved by the secretary from such plans. Upon receipt of such amount, the director of accounts and reports shall transfer such amount from the state general fund to the local ad valorem tax reduction fund to be distributed to the participating city or county. The secretary shall transmit a copy of each such certification to the director of the budget and the director of legislative research. Cities within a county and adjacent counties may enter into an agreement with the county to implement an expansion, modernization or improvement project. Moneys distributed pursuant to this subsection shall only be used for the expansion, modernization or improvement project. Nothing in this subsection shall authorize a participating city or county to receive any share of the local ad valorem tax reduction fund: (1) That would be attributed to another local unit of government other than the cities or counties; (2) in excess of the total cost of the expansion, modernization or improvement project; or (3) if the proposed expansion, modernization or improvement project is included in the 2020 transportation planning program.

1 ~~transfer such amount from the state general fund to the county and city~~
2 ~~revenue sharing fund. The secretary shall transmit a copy of each such~~
3 ~~certification to the director of the budget and the director of legislative~~
4 ~~research.~~ ^

See attached insert #2.

5 Sec. 3. K.S.A. 2018 Supp. 79-2959 and 79-2964 are hereby repealed.

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

INSERT #2

During fiscal years 2020 through ~~2030~~2025, any ~~city or~~ county may submit to the secretary of transportation a plan for ~~new construction~~ expansion or modernization of a road or improvement of a bridge in ~~such a city or cities in such county or such county or counties~~. Such plan shall include a local match from other moneys of the participating cities or counties equal to or greater than 20% of the total cost of the plan. If the secretary approves such plan, the city or county shall receive such city's or county's share of the county and city revenue sharing fund during the fiscal years ~~that it takes to complete the construction~~ of the life of the construction phase of the expansion, modernization or improvement project, as determined by the secretary. On June 15 of fiscal years 2020 through ~~2030~~2025, the secretary shall certify to the director of accounts and reports the aggregate amount of moneys approved by the secretary from such plans. Upon receipt of such amount, the director of accounts and reports shall transfer such amount from the state general fund to the county and city revenue sharing fund to be distributed to the participating city or county. The secretary shall transmit a copy of each such certification to the director of the budget and the director of legislative research. Cities within a county and adjacent counties may enter into an agreement with the county to implement an expansion, modernization or improvement project. Moneys distributed pursuant to this subsection shall only be used for the expansion, modernization or improvement project. Nothing in this subsection shall authorize a participating city or county to receive any share of the county and city revenue sharing fund: (1) That would be attributed to another local unit of government other than the cities or counties; (2) in excess of the total cost of the expansion, modernization or improvement project; or (3) if the proposed expansion, modernization or improvement project is included in the 2020 transportation planning program.