Session of 2025

House Concurrent Resolution No. 5005

By Committee on K-12 Education Budget

Requested by Representative Poskin

1-23

A PROPOSITION to amend section 6 of article 6 of the constitution of the state of Kansas; limiting the use of public funds appropriated for elementary or secondary educational purposes for secular public schools and prohibiting public funds from being used for private nonpublic schools.

WHEREAS, This proposition to amend the Constitution of the State of Kansas shall be known and may be cited as the Protect Public Schools Amendment.

Now, therefore:

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 6 of article 6 of the constitution of the state of Kansas is hereby amended to read as follows:

"**§ 6. Finance.** (a) The legislature may levy a permanent tax for the use and benefit of state institutions of higher education and apportion among and appropriate the same to the several institutions, which levy, apportionment and appropriation shall continue until changed by statute. Further appropriation and other provision for finance of institutions of higher education may be made by the legislature.

(b) The legislature shall make suitable provision for finance of the educational interests of the state. No tuition shall be charged for attendance at any public school to pupils required by law to attend such school, except such fees or supplemental charges as may be authorized by law. The legislature may authorize the state board of regents to establish tuition, fees and charges at institutions under its supervision.

(c) ~~No religious sect or sects shall control any part of the public educational funds~~ *Public moneys appropriated for elementary or secondary educational purposes shall be*

appropriated only for secular public schools. No public moneys shall be appropriated or paid nor any public credit be utilized by the legislature or any other political subdivision of the state, directly or indirectly, to aid or maintain any private nonpublic school that provides elementary or secondary education."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"*Explanatory statement.* The Protect Public Schools Amendment would limit the use of K-12 educational public funds for secular public schools and prohibit public funds from being used for private nonpublic schools.

"A vote for the Protect Public Schools Amendment would amend the constitution of the state of Kansas to explicitly limit the use of K-12 educational public funds for secular public schools and prohibit public funds from being used for private nonpublic schools.

"A vote against the Protect Public Schools Amendment would not amend the constitution of the state of Kansas."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2026, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.