

## HOUSE BILL No. 2502

By Committee on Appropriations

2-24

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9 AN ACT concerning certain postsecondary educational institutions; re-  
10 lating to out-district tuition; amending K.S.A. 2004 Supp. 13-13a25,  
11 13-13a26, 13-13a27, 13-13a29, 13-13a31, 13-13a32, 13-13a33, 13-  
12 13a34, 19-101a, 71-301a, 71-304, 71-305, 71-306, 71-308, 71-401, 71-  
13 402, 71-403, 71-610 and 71-1705 and repealing the existing sections.  
14

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

16 Section 1. K.S.A. 2004 Supp. 13-13a25 is hereby amended to read  
17 as follows: 13-13a25. (a) As used in K.S.A. 13-13a25 through 13-13a34,  
18 and amendments thereto:

19 (1) "Board of levy" means the board of county commissioners of  
20 every county in which there is not located a municipal university and the  
21 township trustee, township clerk and township treasurer, acting as a  
22 board, of every township within every county in which there is located a  
23 municipal university, except that board of levy shall not include a township  
24 within a county in which there is located a municipal university which has  
25 levied a countywide retailer's sales tax.

26 (2) "Municipal university" means a municipal university established  
27 under the provisions of article 13a of chapter 13 of Kansas Statutes An-  
28 notated, *and amendments thereto*.

29 (3) "Municipal university district" means the taxing district of a mu-  
30 nicipal university.

31 (4) "Taxing subdivision" means every county in which there is not  
32 located a municipal university and every township within every county in  
33 which there is located a municipal university, except that taxing subdivi-  
34 sion shall not include a township within a county in which there is located  
35 a municipal university which has levied a countywide retailer's sales tax.

36 (5) "State board" means the state board of regents.

37 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

38 Sec. 2. K.S.A. 2004 Supp. 13-13a26 is hereby amended to read as  
39 follows: 13-13a26. (a) The board of regents of a municipal university, in  
40 accordance with rules and regulations of the state board, shall determine  
41 and collect an amount of out-district tuition to be charged for each stu-  
42 dent attending the municipal university whose residence is outside of the  
43 municipal university district.

- 1 (b) The board of levy of any taxing subdivision charged with payment  
2 of out-district tuition shall levy a tax on all of the taxable property of the  
3 taxing subdivision sufficient to pay all out-district tuition charges author-  
4 ized by this act.
- 5 (c) The proceeds from the tax levied under authority of this section  
6 shall be deposited in a special fund for payment of out-district tuition.  
7 Upon receiving a statement of charges for out-district tuition the board  
8 of levy shall allow and pay the same promptly from the special fund. If  
9 there is insufficient or no money in the special fund, out-district tuition  
10 shall be paid from the general fund of the taxing subdivision or from the  
11 proceeds of the sale of no-fund warrants issued for the purpose of the  
12 payment of out-district tuition.
- 13 (d) The total out-district tuition charged by a municipal university  
14 shall be: (1) For the ~~2004~~ 2005 fiscal year and the ~~2005~~ 2006 fiscal year,  
15 an amount equal to the number of duly enrolled out-district students  
16 times \$12 for each credit hour of each such student; and (2) for the ~~2006~~  
17 2007 fiscal year, an amount equal to the number of duly enrolled out-  
18 district students time \$6 for each credit hour of each such student.
- 19 (e) Out-district tuition shall be charged only for credit hours of stu-  
20 dents if such students, as determined by the state board, have not more  
21 than 64 credit hours from any institution of postsecondary education or  
22 the students have not more than 72 credit hours and are enrolled in  
23 terminal type nursing courses or freshman-sophomore preengineering  
24 courses.
- 25 (f) Expenditures for out-district tuition shall be exempt from the  
26 budget law of this state to the extent of such payments not anticipated in  
27 the budget of the taxing subdivision.
- 28 (g) The levy of taxes and the payment of out-district tuition by coun-  
29 ties required under the provisions of this section shall not be subject to  
30 the exercise of home rule by counties under K.S.A. 19-101a, and amend-  
31 ments thereto.
- 32 (h) Taxes levied by townships under the authority of this section shall  
33 be in addition to all other tax levies authorized or limited by law and shall  
34 not be subject to or within the aggregate tax levy limit prescribed by  
35 K.S.A. 79-1962, and amendments thereto.
- 36 (i) In May of each fiscal year, the board of regents shall notify each  
37 board of levy of the approximate amount of out-district tuition which will  
38 be charged to the taxing subdivision in the succeeding fiscal year.
- 39 (j) The provisions of this section shall expire on June 30, ~~2006~~ 2007.  
40 Sec. 3. K.S.A. 2004 Supp. 13-13a27 is hereby amended to read as  
41 follows: 13-13a27. (a) Out-district tuition shall be based only upon en-  
42 rollments of students who are residents of the state of Kansas. For the  
43 purpose of determination of out-district tuition: (1) Persons enrolling in

1 a municipal university who, if adults, have not been, or if minors, whose  
2 parents have not been, residents of the state of Kansas for six months  
3 prior to enrollment for any term or session are nonresidents of the state  
4 of Kansas; and (2) persons enrolling in a municipal university who, if  
5 adults, have not been, or if minors, whose parents have not been, resi-  
6 dents of the municipal university district for six months prior to enroll-  
7 ment for any term or session are nonresidents of the municipal university  
8 district.

9 (b) For the purpose of determining residence of persons, the resi-  
10 dence of minors shall be determined as provided in K.S.A. 72-1046, and  
11 amendments thereto, and of adults as provided in subpart *twenty-third*  
12 of K.S.A. 77-201, and amendments thereto.

13 (c) The state board of regents may adopt rules and regulations pre-  
14 scribing criteria or guidelines for determination of residence of students  
15 and shall make conclusive determination of any residence matter for the  
16 purpose of determination of liability of taxing subdivisions for out-district  
17 tuition.

18 (d) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

19 Sec. 4. K.S.A. 2004 Supp. 13-13a29 is hereby amended to read as  
20 follows: 13-13a29. (a) The determination of credit hours of duly enrolled  
21 out-district students shall be made at the end of the fifth week of the  
22 regular spring and fall semesters and at the end of the equivalent period  
23 for summer sessions. The determination of credit hours of duly enrolled  
24 out-district students for payments for short-term courses shall be made  
25 at such times as are prescribed by the state board of regents.

26 (b) On or before November 1 and on or before April 1 of each year,  
27 the president and treasurer of a municipal university shall certify under  
28 oath to the state board the total number of duly enrolled credit hours of  
29 out-district students of the municipal university during the current school  
30 term. The state board may require a municipal university to furnish any  
31 additional information deemed necessary by it to carry out the provisions  
32 of this act and shall prescribe such forms, to be approved by the attorney  
33 general, as may be necessary for making such reports.

34 (c) The state board and the post auditor may audit the records of a  
35 municipal university to verify the accuracy of the reports submitted by  
36 the municipal university. The state board may promulgate rules and reg-  
37 ulations for the administration of this act.

38 (d) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

39 Sec. 5. K.S.A. 2004 Supp. 13-13a31 is hereby amended to read as  
40 follows: 13-13a31. (a) Subject to the provisions of subsection (b), no out-  
41 district tuition shall be charged or paid for any student attending a mu-  
42 nicipal university whose residence outside the municipal university dis-  
43 trict is in a taxing subdivision in which there is located a community

1 college.

2 (b) The provisions of subsection (a) shall not apply to any such out-  
3 district student when the course of study or program which the student  
4 selects, or a course of study or program which is substantially equivalent  
5 thereto, is not offered in the community college which is located in the  
6 taxing subdivision in which such student resides.

7 (c) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

8 Sec. 6. K.S.A. 2004 Supp. 13-13a32 is hereby amended to read as  
9 follows: 13-13a32. (a) Subject to the provisions of subsection (b), no out-  
10 district tuition shall be charged to or paid by any county in which there  
11 is located a municipal university for any student attending a community  
12 college whose residence outside the community college district is in a  
13 county in which there is located a municipal university.

14 (b) The provisions of subsection (a) shall not apply to any such out-  
15 district student when the course of study or program which the student  
16 selects, or a course of study or program which is substantially equivalent  
17 thereto, is not offered in the municipal university which is located in the  
18 county in which such student resides.

19 (c) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

20 Sec. 7. K.S.A. 2004 Supp. 13-13a33 is hereby amended to read as  
21 follows: 13-13a33. (a) The state board of regents shall adopt rules and  
22 regulations prescribing criteria or guidelines for the purpose of deter-  
23 mining which courses of study and programs offered in the community  
24 colleges are substantially equivalent to the courses of study and programs  
25 offered in municipal universities. A current, complete list of such courses  
26 of study and programs shall be maintained on file in the office of the state  
27 board of regents, and shall be open for public inspection at any reasonable  
28 time.

29 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

30 Sec. 8. K.S.A. 2004 Supp. 13-13a34 is hereby amended to read as  
31 follows: 13-13a34. (a) No out-district tuition charged by a municipal uni-  
32 versity shall be based upon any course or program which is taught in an  
33 area vocational school, an area vocational-technical school, or a technical  
34 college under an agreement with the municipal university and for which  
35 payments of state or federal moneys are made to the area vocational  
36 school, area vocational-technical school, or technical college under the  
37 provisions of article 44 of chapter 72 of Kansas Statutes Annotated, *and*  
38 *amendments thereto*.

39 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

40 Sec. 9. K.S.A. 2004 Supp. 19-101a is hereby amended to read as  
41 follows: 19-101a. (a) The board of county commissioners may transact all  
42 county business and perform all powers of local legislation and adminis-  
43 tration it deems appropriate, subject only to the following limitations,

1 restrictions or prohibitions:

2 (1) Counties shall be subject to all acts of the legislature which apply  
3 uniformly to all counties.

4 (2) Counties may not consolidate or alter county boundaries.

5 (3) Counties may not affect the courts located therein.

6 (4) Counties shall be subject to acts of the legislature prescribing  
7 limits of indebtedness.

8 (5) In the exercise of powers of local legislation and administration  
9 authorized under provisions of this section, the home rule power con-  
10 ferred on cities to determine their local affairs and government shall not  
11 be superseded or impaired without the consent of the governing body of  
12 each city within a county which may be affected.

13 (6) Counties may not legislate on social welfare administered under  
14 state law enacted pursuant to or in conformity with public law No. 271—  
15 74th congress, or amendments thereof.

16 (7) Counties shall be subject to all acts of the legislature concerning  
17 elections, election commissioners and officers and their duties as such  
18 officers and the election of county officers.

19 (8) Counties shall be subject to the limitations and prohibitions im-  
20 posed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto,  
21 prescribing limitations upon the levy of retailers' sales taxes by counties.

22 (9) Counties may not exempt from or effect changes in statutes made  
23 nonuniform in application solely by reason of authorizing exceptions for  
24 counties having adopted a charter for county government.

25 (10) No county may levy ad valorem taxes under the authority of this  
26 section upon real property located within any redevelopment project area  
27 established under the authority of K.S.A. 12-1772, and amendments  
28 thereto, unless the resolution authorizing the same specifically authorized  
29 a portion of the proceeds of such levy to be used to pay the principal of  
30 and interest upon bonds issued by a city under the authority of K.S.A.  
31 12-1774, and amendments thereto.

32 (11) Counties shall have no power under this section to exempt from  
33 any statute authorizing or requiring the levy of taxes and providing sub-  
34 stitute and additional provisions on the same subject, unless the resolution  
35 authorizing the same specifically provides for a portion of the proceeds  
36 of such levy to be used to pay a portion of the principal and interest on  
37 bonds issued by cities under the authority of K.S.A. 12-1774, and amend-  
38 ments thereto.

39 (12) Counties may not exempt from or effect changes in the provi-  
40 sions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

41 (13) Except as otherwise specifically authorized by K.S.A. 12-1,101  
42 through 12-1,109, and amendments thereto, counties may not levy and  
43 collect taxes on incomes from whatever source derived.

- 1 (14) Counties may not exempt from or effect changes in K.S.A. 19-  
2 430, and amendments thereto.
- 3 (15) Counties may not exempt from or effect changes in K.S.A. 19-  
4 302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.
- 5 (16) (A) Counties may not exempt from or effect changes in K.S.A.  
6 13-13a26, and amendments thereto.
- 7 (B) This provision shall expire on June 30, ~~2005~~ 2006.
- 8 (17) (A) Counties may not exempt from or effect changes in K.S.A.  
9 71-301a, and amendments thereto.
- 10 (B) This provision shall expire on June 30, ~~2005~~ 2006.
- 11 (18) Counties may not exempt from or effect changes in K.S.A. 19-  
12 15,139, 19-15,140 and 19-15,141, and amendments thereto.
- 13 (19) Counties may not exempt from or effect changes in the provi-  
14 sions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-  
15 1226, and amendments thereto, or the provisions of K.S.A. 12-1260  
16 through 12-1270 and 12-1276, and amendments thereto.
- 17 (20) Counties may not exempt from or effect changes in the provi-  
18 sions of K.S.A. 19-211, and amendments thereto.
- 19 (21) Counties may not exempt from or effect changes in the provi-  
20 sions of K.S.A. 19-4001 through 19-4015, and amendments thereto.
- 21 (22) Counties may not regulate the production or drilling of any oil  
22 or gas well in any manner which would result in the duplication of reg-  
23 ulation by the state corporation commission and the Kansas department  
24 of health and environment pursuant to chapter 55 and chapter 65 of the  
25 Kansas Statutes Annotated, *and amendments thereto*, and any rules and  
26 regulations adopted pursuant thereto. Counties may not require any li-  
27 cense or permit for the drilling or production of oil and gas wells. Counties  
28 may not impose any fee or charge for the drilling or production of any  
29 oil or gas well.
- 30 (23) Counties may not exempt from or effect changes in K.S.A. 79-  
31 41a04, and amendments thereto.
- 32 (24) Counties may not exempt from or effect changes in K.S.A. 79-  
33 1611, and amendments thereto.
- 34 (25) Counties may not exempt from or effect changes in K.S.A. 79-  
35 1494, and amendments thereto.
- 36 (26) Counties may not exempt from or effect changes in subsection  
37 (b) of K.S.A. 19-202, and amendments thereto.
- 38 (27) Counties may not exempt from or effect changes in subsection  
39 (b) of K.S.A. 19-204, and amendments thereto.
- 40 (28) Counties may not levy or impose an excise, severance or any  
41 other tax in the nature of an excise tax upon the physical severance and  
42 production of any mineral or other material from the earth or water.
- 43 (29) Counties may not exempt from or effect changes in K.S.A. 79-

1 2017 or 79-2101, and amendments thereto.

2 (30) Counties may not exempt from or effect changes in K.S.A. 2-  
3 3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, *or*  
4 65-1,178 through 65-1,199 ~~or K.S.A. 1998 Supp. 17-5909~~, and amend-  
5 ments thereto.

6 (31) Counties may not exempt from or effect changes in K.S.A. 2004  
7 Supp. 80-121, and amendments thereto.

8 (32) Counties may not exempt from or effect changes in K.S.A. 19-  
9 228, and amendments thereto.

10 (33) Counties may not exempt from or effect changes in the wireless  
11 enhanced 911 act or in the provisions of K.S.A. 12-5301 through 12-5308,  
12 and amendments thereto.

13 (34) Counties may not exempt from or effect changes in K.S.A. 2004  
14 Supp. 26-601, and amendments thereto.

15 (b) Counties shall apply the powers of local legislation granted in  
16 subsection (a) by resolution of the board of county commissioners. If no  
17 statutory authority exists for such local legislation other than that set forth  
18 in subsection (a) and the local legislation proposed under the authority  
19 of such subsection is not contrary to any act of the legislature, such local  
20 legislation shall become effective upon passage of a resolution of the  
21 board and publication in the official county newspaper. If the legislation  
22 proposed by the board under authority of subsection (a) is contrary to an  
23 act of the legislature which is applicable to the particular county but not  
24 uniformly applicable to all counties, such legislation shall become effec-  
25 tive by passage of a charter resolution in the manner provided in K.S.A.  
26 19-101b, and amendments thereto.

27 (c) Any resolution adopted by a county which conflicts with the re-  
28 strictions in subsection (a) is null and void.

29 Sec. 10. K.S.A. 2004 Supp. 71-301a is hereby amended to read as  
30 follows: 71-301a. (a) The board of trustees, in accordance with rules and  
31 regulations of the state board, shall determine an amount of out-district  
32 tuition to be charged for each out-district student attending the com-  
33 munity college. The board of county commissioners of any county charged  
34 with payment of out-district tuition shall levy a tax on all of the taxable  
35 property of the county sufficient to pay all out-district tuition charges  
36 authorized by this act. The proceeds from the tax levied under authority  
37 of this section shall be deposited in a special fund for payment of out-  
38 district tuition. Upon receiving a statement of charges for out-district  
39 tuition, the board of county commissioners shall allow and pay the same  
40 from the special fund within 45 days from the receipt of such statement.  
41 If there is insufficient or no money in the special fund, out-district tuition  
42 shall be paid from the county general fund or from the proceeds of the  
43 sale of no-fund warrants issued for the purpose of the payment of out-

1 district tuition. If the board of county commissioners fails to pay such  
2 amount at the time required under this subsection, the board of trustees  
3 shall notify the state board of such failure to pay and shall certify to the  
4 state board the amount to be paid. Upon receipt by the state board of  
5 such notification, the amount to be paid as certified to the state board  
6 shall become an amount due and owing to the state board. The state  
7 board shall notify the board of county commissioners that this amount is  
8 now due and owing to the state board. If the board of county commis-  
9 sioners fails to pay such amount to the state board within 14 days of the  
10 receipt of such notification, the state board shall initiate proceedings un-  
11 der K.S.A. 75-6201 *et seq.* for the collection of such money. Money paid  
12 to or collected by the state board under this subsection shall be deposited  
13 in the out-district tuition suspense account which is hereby created in the  
14 state treasury. The state board shall pay moneys from this account, in  
15 accordance with rules and regulations of the state board, to the com-  
16 munity colleges entitled to receive such money.

17 (b) The total out-district tuition charged by a community college shall  
18 be: (1) For the ~~2004~~ 2005 fiscal year and the ~~2005~~ 2006 fiscal year, an  
19 amount equal to the number of duly enrolled out-district students times  
20 \$12 for each credit hour of each such student; and (2) for the ~~2006~~ 2007  
21 fiscal year, an amount equal to the number of duly enrolled out-district  
22 students times \$6 for each credit hour of each such student.

23 (c) In May of each fiscal year, the board of trustees shall notify the  
24 board of county commissioners of the approximate amount of out-district  
25 tuition which will be charged to the county in the succeeding fiscal year.

26 (d) Expenditures for out-district tuition shall be exempt from the  
27 budget law of this state to the extent of such payments not anticipated in  
28 the budget of the county.

29 (e) The provisions of this section shall take effect and be in force on  
30 July 1, 1999, and shall expire on June 30, ~~2006~~ 2007.

31 Sec. 11. K.S.A. 2004 Supp. 71-304 is hereby amended to read as  
32 follows: 71-304. (a) Notwithstanding any provision contained in chapter  
33 71 of Kansas Statutes Annotated to the contrary, and subject to the pro-  
34 visions of K.S.A. 71-305, and amendments thereto, no out-district tuition  
35 shall be charged or paid for any student attending a community college  
36 whose residence outside the community college district is in another com-  
37 munity college district.

38 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

39 Sec. 12. K.S.A. 2004 Supp. 71-305 is hereby amended to read as  
40 follows: 71-305. (a) The provisions of K.S.A. 71-304, and amendments  
41 thereto, do not apply to any out-district student when the course of study  
42 or program which the student selects, or a course of study or program  
43 which is substantially equivalent thereto, is not offered in the community

1 college of the district in which such student resides.

2 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

3 Sec. 13. K.S.A. 2004 Supp. 71-306 is hereby amended to read as  
4 follows: 71-306. (a) The state board of regents shall adopt rules and reg-  
5 ulations prescribing criteria or guidelines for the purpose of determining  
6 which courses of study and programs offered in the community colleges  
7 are substantially equivalent. A current, complete list of such courses of  
8 study and programs shall be maintained on file in the office of the state  
9 board of regents, and shall be open for public inspection at any reasonable  
10 time.

11 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

12 Sec. 14. K.S.A. 2004 Supp. 71-308 is hereby amended to read as  
13 follows: 71-308. (a) No out-district tuition charges shall be based upon  
14 credit hours in any subject or course the principal part of which is taught  
15 at a location outside the county of the main campus of a community  
16 college, unless the location of such subject or course is specifically au-  
17 thorized by the state board of regents.

18 (b) (1) No out-district tuition charges shall be based upon credit  
19 hours in any subject or course which is taught in a county in which the  
20 main campus of a state educational institution is located, unless the teach-  
21 ing of such subject or course is specifically authorized by the chief ex-  
22 ecutive officer of the state educational institution or by a designee of the  
23 chief executive officer. The chief executive officer of each state educa-  
24 tional institution may designate and authorize a person or committee to  
25 act on behalf of the chief executive officer in granting the authorizations  
26 required by this subsection. No authorization required by this subsection  
27 shall be considered to be or construed in any manner as an agreement  
28 provided for by subsection (c).

29 (2) For the purposes of this subsection, the term "main campus of a  
30 state educational institution" as applied to Kansas state university of ag-  
31 riculture and applied science means and includes the campus of the uni-  
32 versity located in Riley county and the campus of the university's college  
33 of technology located in Saline county.

34 (3) The provisions of this subsection are subject to the provisions of  
35 subsection (c).

36 (c) No out-district tuition charges shall be based upon credit hours  
37 in any subject or course all or the principal part of which is taught at Fort  
38 Hays state university or at Wichita state university under an agreement  
39 for the teaching of such subject or course entered into by a community  
40 college and either such university. An agreement entered into under the  
41 provisions of this subsection for the teaching of a subject or course by a  
42 community college at Fort Hays state university or at Wichita state uni-  
43 versity shall constitute the authorization required by subsection (b) for

1 the teaching of such subject or course, and no separate authorization  
2 under subsection (b) shall be required.

3 (d) No out-district tuition charges shall be based upon any course or  
4 program if such course or program is taught in an area vocational school,  
5 an area vocational-technical school, or a technical college under an agree-  
6 ment with a community college and for which payments of state or federal  
7 moneys are made to the area vocational school, the area vocational-tech-  
8 nical school, or the technical college under the provisions of article 44 of  
9 chapter 72 of Kansas Statutes Annotated, *and amendments thereto*.

10 (e) No out-district tuition charges shall be based upon any motorcycle  
11 driver safety course conducted by a community college.

12 (f) The provisions of this section shall take effect and be in force on  
13 July 1, 1999, and shall expire on June 30, ~~2006~~ 2007.

14 Sec. 15. K.S.A. 2004 Supp. 71-401 is hereby amended to read as  
15 follows: 71-401. (a) Persons enrolling in a community college who, if  
16 adults, have not been, or if minors, whose parents have not been residents  
17 of the county in which is located the principal campus of the community  
18 college for at least six months prior to enrollment for any term or session  
19 are nonresidents of the community college district for the purpose of  
20 determining liability of counties for payment of out-district tuition.

21 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

22 Sec. 16. K.S.A. 2004 Supp. 71-402 is hereby amended to read as  
23 follows: 71-402. (a) For the purpose of determining the county of resi-  
24 dence of persons, residence of minors shall be determined as provided  
25 in K.S.A. 72-1046, and amendments thereto, and of adults as provided in  
26 subpart *Twenty-third* of K.S.A. 77-201, and amendments thereto.

27 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

28 Sec. 17. K.S.A. 2004 Supp. 71-403 is hereby amended to read as  
29 follows: 71-403. (a) The state board of regents may adopt rules and reg-  
30 ulations prescribing criteria or guidelines for determination of residence  
31 of students for the purpose of determining liability of counties for out-  
32 district tuition of students in community colleges. The state board may  
33 make conclusive determination of any residence matter for the purpose  
34 of determination of out-district tuition.

35 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

36 Sec. 18. K.S.A. 2004 Supp. 71-610 is hereby amended to read as  
37 follows: 71-610. (a) Notwithstanding any provision contained in chapter  
38 71 of Kansas Statutes Annotated, *and amendments thereto*, to the con-  
39 trary, whenever there are two community college districts located within  
40 one county, no out-district tuition shall be charged for any student resid-  
41 ing in such county and attending either such community college.

42 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

43 Sec. 19. K.S.A. 2004 Supp. 71-1705 is hereby amended to read as

1 follows: 71-1705. (a) Notwithstanding any provision contained in chapter  
2 71 of Kansas Statutes Annotated, *and amendments thereto*, to the con-  
3 trary, whenever any area vocational school or area vocational-technical  
4 school consolidates with a community college in accordance with the pro-  
5 visions of this act, no out-district tuition shall be charged for any student  
6 enrolled in any vocational education course or program offered by the  
7 community college if such course or program was taught in the area vo-  
8 cational school or area vocational-technical school immediately prior to  
9 the consolidation of such area vocational school or area vocational-tech-  
10 nical school with such community college and as a result of such consol-  
11 idation such course or program is now being offered by the community  
12 college.

13 (b) The provisions of this section shall expire on June 30, ~~2006~~ 2007.

14 Sec. 20. K.S.A. 2004 Supp. 13-13a25, 13-13a26, 13-13a27, 13-13a29,  
15 13-13a31, 13-13a32, 13-13a33, 13-13a34, 19-101a, 71-301a, 71-304, 71-  
16 305, 71-306, 71-308, 71-401, 71-402, 71-403, 71-610 and 71-1705 are  
17 hereby repealed.

18 Sec. 21. This act shall take effect and be in force from and after its  
19 publication in the statute book.