

## House Concurrent Resolution No. 5026

By Committee on Federal and State Affairs

1-17

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9 A PROPOSITION to amend section 1 of article 6 of the constitution of  
10 the state of Kansas, relating to schools.

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12 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
13 *members elected (or appointed) and qualified to the House of Repre-*  
14 *sentatives and two-thirds of the members elected (or appointed) and*  
15 *qualified to the Senate concurring therein:*

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

20 “§ 1. **Schools and related institutions and activities.** The leg-  
21 islature shall provide for intellectual, educational, vocational and  
22 scientific improvement by establishing and maintaining public  
23 schools, educational institutions and related activities which may  
24 be organized and changed in such manner as may be provided  
25 by law. *No court shall order any remedy for a violation of any*  
26 *provision of this article that shall cause the closure, or prevent*  
27 *the operation, of public schools.”*

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

30 “*Explanatory statement.* The purpose of this amendment is to pro-  
31 vide that no court may order that public schools be closed as a  
32 result of any violation of article 6 of the Kansas constitution,  
33 concerning education, including school finance litigation.

34 “A vote for this amendment would prevent courts from ordering  
35 that schools be closed for any violation of article 6 of the Kansas  
36 constitution, concerning education, including addressing the  
37 constitutional defects in the financing of public schools.

38 “A vote against this amendment would allow courts to order that  
39 schools be closed for any violation of article 6 of the Kansas  
40 constitution, concerning education, including addressing the  
41 constitutional defects in the financing of public schools.”

42 Sec. 3. This resolution, if approved by two-thirds of the members  
43 elected (or appointed) and qualified to the House of Representatives, and

1 two-thirds of the members elected (or appointed) and qualified to the  
2 Senate, shall be entered on the journals, together with the yeas and nays.  
3 The secretary of state shall cause this resolution to be published as pro-  
4 vided by law and shall cause the proposed amendment to be submitted  
5 to the electors of the state at a special election to be held the first Tuesday  
6 following 60 calendar days after the approval of this resolution by both  
7 the House of Representatives and the Senate of the Kansas legislature.