

## HOUSE BILL No. 2460

By Committee on Education

1-15

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9 AN ACT concerning school districts; relating to school finance; amend-  
10 ing K.S.A. 2009 Supp. 72-6410, 72-6415b, 72-6431, 72-6433, 72-6434,  
11 72-6435, 72-6449 and 72-6451 and repealing the existing sections.  
12

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

14 Section 1. K.S.A. 2009 Supp. 72-6410 is hereby amended to read as  
15 follows: 72-6410. (a) "State financial aid" means an amount equal to the  
16 product obtained by multiplying base state aid per pupil by the adjusted  
17 enrollment of a district.

18 (b) (1) "Base state aid per pupil" means an amount of state financial  
19 aid per pupil. Subject to the other provisions of this subsection, the  
20 amount of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and~~  
21 ~~\$4,492 in school year 2009-2010 and each school year thereafter \$4,560.~~

22 (2) The amount of base state aid per pupil is subject to reduction  
23 commensurate with any reduction under K.S.A. 75-6704, and amend-  
24 ments thereto, in the amount of the appropriation from the state general  
25 fund for general state aid. If the amount of appropriations for general  
26 state aid is insufficient to pay in full the amount each district is entitled  
27 to receive for any school year, the amount of base state aid per pupil for  
28 such school year is subject to reduction commensurate with the amount  
29 of the insufficiency.

30 (c) "Local effort" means the sum of an amount equal to the proceeds  
31 from the tax levied under authority of K.S.A. 72-6431, and amendments  
32 thereto, and an amount equal to any unexpended and unencumbered  
33 balance remaining in the general fund of the district, except amounts  
34 received by the district and authorized to be expended for the purposes  
35 specified in K.S.A. 72-6430, and amendments thereto, and an amount  
36 equal to any unexpended and unencumbered balances remaining in the  
37 program weighted funds of the district, except any amount in the voca-  
38 tional education fund of the district if the district is operating an area  
39 vocational school, and an amount equal to any remaining proceeds from  
40 taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amend-  
41 ments thereto, prior to the repeal of such statutory sections, and an  
42 amount equal to the amount deposited in the general fund in the current  
43 school year from amounts received in such year by the district under the

1 provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto,  
2 and an amount equal to the amount deposited in the general fund in the  
3 current school year from amounts received in such year by the district  
4 pursuant to contracts made and entered into under authority of K.S.A.  
5 72-6757, and amendments thereto, and an amount equal to the amount  
6 credited to the general fund in the current school year from amounts  
7 distributed in such year to the district under the provisions of articles 17  
8 and 34 of chapter 12 of Kansas Statutes Annotated and under the pro-  
9 visions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated,  
10 and an amount equal to the amount of payments received by the district  
11 under the provisions of K.S.A. 72-979, and amendments thereto, and an  
12 amount equal to the amount of a grant, if any, received by the district  
13 under the provisions of K.S.A. 72-983, and amendments thereto, and an  
14 amount equal to 70% of the federal impact aid of the district.

15 (d) "Federal impact aid" means an amount equal to the federally  
16 qualified percentage of the amount of moneys a district receives in the  
17 current school year under the provisions of title I of public law 874 and  
18 congressional appropriations therefor, excluding amounts received for as-  
19 sistance in cases of major disaster and amounts received under the low-  
20 rent housing program. The amount of federal impact aid defined herein  
21 as an amount equal to the federally qualified percentage of the amount  
22 of moneys provided for the district under title I of public law 874 shall  
23 be determined by the state board in accordance with terms and conditions  
24 imposed under the provisions of the public law and rules and regulations  
25 thereunder.

26 Sec. 2. K.S.A. 2009 Supp. 72-6415b is hereby amended to read as  
27 follows: 72-6415b. School facilities weighting may be assigned to enroll-  
28 ment of a district only if the district has adopted a local option budget in  
29 an amount equal to at least ~~25%~~ 20% of the amount of the state financial  
30 aid ~~determined for~~ of the district ~~in~~ for the current school year. School  
31 facilities weighting may be assigned to enrollment of the district only in  
32 the school year in which operation of a new school facility is commenced  
33 and in the next succeeding school year.

34 Sec. 3. K.S.A. 2009 Supp. 72-6431 is hereby amended to read as  
35 follows: 72-6431. (a) The board of each district shall levy an ad valorem  
36 tax upon the taxable tangible property of the district in the school years  
37 specified in subsection (b) for the purpose of:

38 (1) Financing that portion of the district's general fund budget which  
39 is not financed from any other source provided by law;

40 (2) paying a portion of the costs of operating and maintaining public  
41 schools in partial fulfillment of the constitutional obligation of the legis-  
42 lature to finance the educational interests of the state; and

43 (3) with respect to any redevelopment district established prior to

1 July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, pay-  
2 ing a portion of the principal and interest on bonds issued by cities under  
3 authority of K.S.A. 12-1774, and amendments thereto, for the financing  
4 of redevelopment projects upon property located within the district.

5 (b) The tax required under subsection (a) shall be levied at a rate of  
6 ~~20~~ 35 mills in ~~the school year 2009-2010 and~~ school year 2010-2011 *and*  
7 *school year 2011-2012.*

8 (c) The proceeds from the tax levied by a district under authority of  
9 this section, except the proceeds of such tax levied for the purpose of  
10 paying a portion of the principal and interest on bonds issued by cities  
11 under authority of K.S.A. 12-1774, and amendments thereto, for the fi-  
12 nancing of redevelopment projects upon property located within the dis-  
13 trict, shall be deposited in the general fund of the district.

14 (d) On June 6 of each year, the amount, if any, by which a district's  
15 local effort exceeds the amount of the district's state financial aid, as  
16 determined by the state board, shall be remitted to the state treasurer.  
17 Upon receipt of any such remittance, the state treasurer shall deposit the  
18 same in the state treasury to the credit of the state school district finance  
19 fund.

20 (e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
21 1964b, and amendments thereto.

22 Sec. 4. K.S.A. 2009 Supp. 72-6433 is hereby amended to read as  
23 follows: 72-6433. (a) As used in this section:

24 (1) "State prescribed percentage" means ~~31%~~ 22% of state financial  
25 aid ~~of~~ for the district in the current school year.

26 (2) "Authorized to adopt a local option budget" means that a district  
27 has adopted a resolution under this section, has published the same, and  
28 either the resolution was not protested or it was protested and an election  
29 was held by which the adoption of a local option budget was approved.

30 (b) In each school year, the board of any district may adopt a local  
31 option budget which does not exceed the state prescribed percentage.

32 (c) Subject to the limitation of subsection (b), in each school year,  
33 the board of any district may adopt, by resolution, a local option budget  
34 in an amount not to exceed:

35 (1) (A) The amount which the board was authorized to adopt in ac-  
36 cordance with the provisions of this section in effect prior to its amend-  
37 ment by this act; plus

38 (B) the amount which the board was authorized to adopt pursuant to  
39 any resolution currently in effect; plus

40 (C) the amount which the board was authorized to adopt pursuant to  
41 K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

42 (2) the state-wide average for the preceding school year as deter-  
43 mined by the state board pursuant to subsection ~~(j)~~ (i).

1 Except as provided by subsection (e), the adoption of a resolution pur-  
2 suant to this subsection shall require a majority vote of the members of  
3 the board. Such resolution shall be effective upon adoption and shall  
4 require no other procedure, authorization or approval.

5 (d) If the board of a district desires to increase its local option budget  
6 authority above the amount authorized under subsection (c) or if the  
7 board was not authorized to adopt a local option budget in 2006-2007,  
8 the board may adopt, by resolution, such budget in an amount not to  
9 exceed the state prescribed percentage. The adoption of a resolution pur-  
10 suant to this subsection shall require a majority vote of the members of  
11 the board. The resolution shall be published at least once in a newspaper  
12 having general circulation in the district. The resolution shall be published  
13 in substantial compliance with the following form:

14 Unified School District No. \_\_\_\_\_,  
15 \_\_\_\_\_ County, Kansas.

16 RESOLUTION

17 Be It Resolved that:

18 The board of education of the above-named school district shall be authorized to adopt  
19 a local option budget in each school year in an amount not to exceed \_\_\_\_\_% of the amount  
20 of state financial aid. The local option budget authorized by this resolution may be adopted,  
21 unless a petition in opposition to the same, signed by not less than 5% of the qualified  
22 electors of the school district, is filed with the county election officer of the home county  
23 of the school district within 30 days after publication of this resolution. If a petition is filed,  
24 the county election officer shall submit the question of whether adoption of the local option  
25 budget shall be authorized to the electors of the school district at an election called for the  
26 purpose or at the next general election, as is specified by the board of education of the  
27 school district.

28 CERTIFICATE

29 This is to certify that the above resolution was duly adopted by the board of education of  
30 unified School District No.\_\_\_\_\_, \_\_\_\_\_ County, Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_,  
31 \_\_\_\_\_.

32 \_\_\_\_\_  
33 Clerk of the board of education.

34 All of the blanks in the resolution shall be filled as is appropriate. If a  
35 sufficient petition is not filed, the board may adopt a local option budget.  
36 If a sufficient petition is filed, the board may notify the county election  
37 officer of the date of an election to be held to submit the question of  
38 whether adoption of a local option budget shall be authorized. Any such  
39 election shall be noticed, called and held in the manner provided by  
40 K.S.A. 10-120, and amendments thereto. If the board fails to notify the  
41 county election officer within 30 days after a sufficient petition is filed,  
42 the resolution shall be deemed abandoned and no like resolution shall be  
43 adopted by the board within the nine months following publication of the

1 resolution.

2 ~~(e)~~ Any resolution authorizing the adoption of a local option budget  
3 in excess of 30% of the state financial aid of the district in the current  
4 school year shall not become effective unless such resolution has been  
5 submitted to and approved by a majority of the qualified electors of the  
6 school district voting at an election called and held thereon. The election  
7 shall be called and held in the manner provided by K.S.A. 10-120, and  
8 amendments thereto.

9 ~~(f)~~ (e) Unless specifically stated otherwise in the resolution, the au-  
10 thority to adopt a local option budget shall be continuous and permanent.  
11 The board of any district which is authorized to adopt a local option  
12 budget may choose not to adopt such a budget or may adopt a budget in  
13 an amount less than the amount authorized. If the board of any district  
14 whose authority to adopt a local option budget is not continuous and  
15 permanent refrains from adopting a local option budget, the authority of  
16 such district to adopt a local option budget shall not be extended by such  
17 refrainment beyond the period specified in the resolution authorizing  
18 adoption of such budget.

19 ~~(g)~~ (f) The board of any district may initiate procedures to renew or  
20 increase the authority to adopt a local option budget at any time during  
21 a school year after the tax levied pursuant to K.S.A. 72-6435, and amend-  
22 ments thereto, is certified to the county clerk under any existing author-  
23 ization.

24 ~~(h)~~ (g) The board of any district that is authorized to adopt a local  
25 option budget prior to the effective date of this act under a resolution  
26 which authorized the adoption of such budget in accordance with the  
27 provisions of this section in effect prior to its amendment by this act may  
28 continue to operate under such resolution for the period of time specified  
29 in the resolution or may abandon the resolution and operate under the  
30 provisions of this section as amended by this act. Any such district shall  
31 operate under the provisions of this section as amended by this act after  
32 the period of time specified in the resolution has expired.

33 ~~(i)~~ (h) Any resolution adopted pursuant to this section may revoke or  
34 repeal any resolution previously adopted by the board. If the resolution  
35 does not revoke or repeal previously adopted resolutions, all resolutions  
36 which are in effect shall expire on the same date. The maximum amount  
37 of the local option budget of a school district under all resolutions in effect  
38 shall not exceed the state prescribed percentage in any school year.

39 ~~(j)~~ (i) (1) There is hereby established in every district that adopts a  
40 local option budget a fund which shall be called the supplemental general  
41 fund. The fund shall consist of all amounts deposited therein or credited  
42 thereto according to law.

43 ~~(2)~~ Subject to the limitation imposed under paragraph (3) and sub-

1 ~~section (c) of K.S.A. 72-6434, and amendments thereto, amounts in the~~  
2 ~~supplemental general fund may be expended for any purpose for which~~  
3 ~~expenditures from the general fund are authorized or may be transferred~~  
4 ~~to any program weighted fund or categorical fund of the district. Amounts~~  
5 ~~in the supplemental general fund attributable to any percentage over 25%~~  
6 ~~of state financial aid determined for the current school year may be trans-~~  
7 ~~ferred to the capital improvements fund of the district and the capital~~  
8 ~~outlay fund of the district if such transfers are specified in the resolution~~  
9 ~~authorizing the adoption of a local option budget in excess of 25%.~~

10 ~~(3)~~ (2) Amounts in the supplemental general fund may not be ex-  
11 pended for the purpose of making payments under any lease-purchase  
12 agreement involving the acquisition of land or buildings which is entered  
13 into pursuant to the provisions of K.S.A. 72-8225, and amendments  
14 thereto.

15 ~~(4)~~ (3) (A) Except as provided in paragraph (B), any unexpended  
16 budget remaining in the supplemental general fund of a district at the  
17 conclusion of any school year in which a local option budget is adopted  
18 shall be maintained in such fund.

19 (B) If the district received supplemental general state aid in the  
20 school year, the state board shall determine the ratio of the amount of  
21 supplemental general state aid received to the amount of the local option  
22 budget of the district for the school year and multiply the total amount  
23 of the unexpended budget remaining by such ratio. An amount equal to  
24 the amount of the product shall be transferred to the general fund of the  
25 district or remitted to the state treasurer. Upon receipt of any such re-  
26 mittance, the state treasurer shall deposit the same in the state treasury  
27 to the credit of the state school district finance fund.

28 ~~(4)~~ (j) Each year the state board of education shall determine the  
29 statewide average percentage of local option budgets legally adopted by  
30 school districts for the preceding school year.

31 ~~(4)~~ (k) The provisions of this section shall be subject to the provisions  
32 of K.S.A. 2009 Supp. 72-6433d, and amendments thereto.

33 Sec. 5. K.S.A. 2009 Supp. 72-6434 is hereby amended to read as  
34 follows: 72-6434. (a) In each school year, each district that has adopted a  
35 local option budget is eligible for entitlement to an amount of supple-  
36 mental general state aid. Except as provided by K.S.A. 2009 Supp. 72-  
37 6434b, and amendments thereto, entitlement of a district to supplemental  
38 general state aid shall be determined by the state board as provided in  
39 this subsection. The state board shall:

40 (1) Determine the amount of the assessed valuation per pupil in the  
41 preceding school year of each district in the state;

42 (2) rank the districts from low to high on the basis of the amounts of  
43 assessed valuation per pupil determined under (1);

- 1 (3) identify the amount of the assessed valuation per pupil located at  
2 the ~~81.2~~ 87.3 percentile of the amounts ranked under (2);
- 3 (4) divide the assessed valuation per pupil of the district in the pre-  
4 ceding school year by the amount identified under (3);
- 5 (5) subtract the ratio obtained under (4) from 1.0. If the resulting  
6 ratio equals or exceeds 1.0, the eligibility of the district for entitlement  
7 to supplemental general state aid shall lapse. If the resulting ratio is less  
8 than 1.0, the district is entitled to receive supplemental general state aid  
9 in an amount which shall be determined by the state board by multiplying  
10 the amount of the local option budget of the district by such ratio. The  
11 product is the amount of supplemental general state aid the district is  
12 entitled to receive for the school year.
- 13 (b) If the amount of appropriations for supplemental general state  
14 aid is less than the amount each district is entitled to receive for the school  
15 year, the state board shall prorate the amount appropriated among the  
16 districts in proportion to the amount each district is entitled to receive.
- 17 (c) The state board shall prescribe the dates upon which the distri-  
18 bution of payments of supplemental general state aid to school districts  
19 shall be due. Payments of supplemental general state aid shall be distrib-  
20 uted to districts on the dates prescribed by the state board. The state  
21 board shall certify to the director of accounts and reports the amount due  
22 each district, and the director of accounts and reports shall draw a warrant  
23 on the state treasurer payable to the treasurer of the district. Upon receipt  
24 of the warrant, the treasurer of the district shall credit the amount thereof  
25 to the supplemental general fund of the district to be used for the pur-  
26 poses of such fund.
- 27 (d) If any amount of supplemental general state aid that is due to be  
28 paid during the month of June of a school year pursuant to the other  
29 provisions of this section is not paid on or before June 30 of such school  
30 year, then such payment shall be paid on or after the ensuing July 1, as  
31 soon as moneys are available therefor. Any payment of supplemental gen-  
32 eral state aid that is due to be paid during the month of June of a school  
33 year and that is paid to school districts on or after the ensuing July 1 shall  
34 be recorded and accounted for by school districts as a receipt for the  
35 school year ending on the preceding June 30.
- 36 (e) ~~(1)~~ Except as provided by paragraph (2), moneys received as sup-  
37 plemental general state aid shall be used to meet the requirements under  
38 the school performance accreditation system adopted by the state board,  
39 to provide programs and services required by law and to improve student  
40 performance.
- 41 ~~(2) Amounts of supplemental general state aid attributable to any~~  
42 ~~percentage over 25% of state financial aid determined for the current~~  
43 ~~school year may be transferred to the capital improvements fund of the~~

1 ~~district and the capital outlay fund of the district if such transfers are~~  
2 ~~specified in the resolution authorizing the adoption of a local option~~  
3 ~~budget in excess of 25%.~~

4 (f) For the purposes of determining the total amount of state moneys  
5 paid to school districts, all moneys appropriated as supplemental general  
6 state aid shall be deemed to be state moneys for educational and support  
7 services for school districts.

8 Sec. 6. K.S.A. 2009 Supp. 72-6435 is hereby amended to read as  
9 follows: 72-6435. (a) In each school year, the board of every district that  
10 has adopted a local option budget may levy an ad valorem tax on the  
11 taxable tangible property of the district for the purpose of: (1) Financing  
12 that portion of the district's local option budget which is not financed  
13 from any other source provided by law; (2) paying a portion of the prin-  
14 cipal and interest on bonds issued by cities under authority of K.S.A. 12-  
15 1774, and amendments thereto, for the financing of redevelopment pro-  
16 jects upon property located within the district; and (3) funding transfers  
17 to the capital improvement fund of the district and the capital outlay fund  
18 of the district if such transfers are specified in the resolution authorizing  
19 the adoption of a local option budget in excess of ~~25%~~ 20% of state  
20 financial aid ~~determined of the district~~ for the current school year.

21 (b) The proceeds from the tax levied by a district under authority of  
22 this section, except the proceeds of such tax levied for the purpose of  
23 paying a portion of the principal and interest on bonds issued by cities  
24 under authority of K.S.A. 12-1774, and amendments thereto, for the fi-  
25 nancing of redevelopment projects upon property located within the dis-  
26 trict, shall be deposited in the supplemental general fund of the district.

27 (c) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
28 1964b, and amendments to such sections.

29 Sec. 7. K.S.A. 2009 Supp. 72-6449 is hereby amended to read as  
30 follows: 72-6449. (a) As used in this section, "school district" or "district"  
31 means a school district authorized to make a levy under this section.

32 (b) The board of education of any district may levy a tax on the taxable  
33 tangible property within the district for the purpose of financing the costs  
34 incurred by the state that are attributable directly to assignment of the  
35 cost of living weighting to the enrollment of the district. There is hereby  
36 established in every school district a fund which shall be called the cost  
37 of living fund, which fund shall consist of all moneys deposited therein  
38 or transferred thereto in accordance with law. All moneys derived from  
39 a tax imposed pursuant to this section shall be credited to the cost of  
40 living fund. The proceeds from the tax levied by a district credited to the  
41 cost of living fund shall be remitted to the state treasurer in accordance  
42 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
43 receipt of each such remittance, the state treasurer shall deposit the entire

1 amount in the state treasury to the credit of the state school district fi-  
 2 nance fund.

3 (c) The state board of education shall determine whether a district  
 4 may levy a tax under this section as follows:

5 (1) Determine the statewide average appraised value of single family  
 6 residences for the calendar year preceding the current school year;

7 (2) multiply the amount determined under (1) by 1.25;

8 (3) determine the average appraised value of single family residences  
 9 in each school district for the calendar year preceding the current school  
 10 year; and

11 (4) (A) subtract the amount determined under (2) from the amount  
 12 determined under (3). If the amount determined for the district under  
 13 this paragraph is a positive number and the district is authorized to adopt  
 14 and has adopted a local option budget in an amount equal to at least ~~31%~~  
 15 22% of the state financial aid ~~for~~ of the school district *for the current*  
 16 *school year*, the district qualifies for assignment of cost of living weighting  
 17 and may levy a tax on the taxable tangible property of the district for the  
 18 purpose of financing the costs that are attributable directly to assignment  
 19 of the cost of living weighting to enrollment of the district; or

20 (B) As an alternative to the authority provided in paragraph (4)(A), if  
 21 a district was authorized to make a levy pursuant to this section in school  
 22 year 2006-2007, such district shall remain authorized to levy such tax at  
 23 a rate necessary to generate revenue in the same amount generated in  
 24 school year 2006-2007 if: (i) The amount determined under paragraph  
 25 (4)(A) is a positive number; and (ii) the district continues to adopt a local  
 26 option budget in an amount equal to ~~the state prescribed percentage in~~  
 27 ~~effect in school year 2006-2007~~ *20% of the state financial aid for the*  
 28 *district in the current school year.*

29 (d) No tax may be levied under this section unless the board of ed-  
 30 ucation adopts a resolution authorizing such a tax levy and publishes the  
 31 resolution at least once in a newspaper having general circulation in the  
 32 district. Except as provided by subsection (e), the resolution shall be pub-  
 33 lished in substantial compliance with the following form:

34 Unified School District No. \_\_\_\_\_,  
 35 \_\_\_\_\_ County, Kansas.

36 RESOLUTION

37 Be It Resolved that:

38 The board of education of the above-named school district shall be authorized to levy an  
 39 ad valorem tax in an amount not to exceed the amount necessary to finance the costs  
 40 attributable directly to the assignment of cost of living weighting to the enrollment of the  
 41 district. The ad valorem tax authorized by this resolution may be levied unless a petition in  
 42 opposition to the same, signed by not less than 5% of the qualified electors of the school  
 43 district, is filed with the county election officer of the home county of the school district

1 within 30 days after the publication of this resolution. If a petition is filed, the county election  
2 officer shall submit the question of whether the levy of such a tax shall be authorized in  
3 accordance with the provisions of this resolution to the electors of the school district at the  
4 next general election of the school district, as is specified by the board of education of the  
5 school district.

6 CERTIFICATE

7 This is to certify that the above resolution was duly adopted by the board of education of  
8 Unified School District No. \_\_\_\_, \_\_\_\_\_ County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_,  
9 (year) \_\_\_\_\_.

10 \_\_\_\_\_  
11 Clerk of the board of education.

12 All of the blanks in the resolution shall be filled. If no petition as spec-  
13 ified above is filed in accordance with the provisions of the resolution,  
14 the resolution authorizing the ad valorem tax levy shall become effective.  
15 If a petition is filed as provided in the resolution, the board may notify  
16 the county election officer to submit the question of whether such tax  
17 levy shall be authorized. If the board fails to notify the county election  
18 officer within 30 days after a petition is filed, the resolution shall be  
19 deemed abandoned and of no force and effect and no like resolution shall  
20 be adopted by the board within the nine months following publication of  
21 the resolution. If a majority of the votes cast in an election conducted  
22 pursuant to this provision are in favor of the resolution, such resolution  
23 shall be effective on the date of such election. If a majority of the votes  
24 cast are not in favor of the resolution, the resolution shall be deemed of  
25 no effect and no like resolution shall be adopted by the board within the  
26 nine months following such election.

27 Sec. 8. K.S.A. 2009 Supp. 72-6451 is hereby amended to read as  
28 follows: 72-6451. (a) As used in this section:

29 (1) "School district" or "district" means a school district which: (A)  
30 Has a declining enrollment; and (B) has adopted a local option budget in  
31 an amount which equals at least ~~31%~~ 22% of the state financial aid for  
32 the school district at the time the district applies to the state court of tax  
33 appeals for authority to make a levy pursuant to this section.

34 (2) "Declining enrollment" means an enrollment which has declined  
35 in amount from that of the preceding school year.

36 (b) (1) (A) A school district may levy an ad valorem tax on the taxable  
37 tangible property of the district each year for a period of time not to  
38 exceed two years in an amount not to exceed the amount authorized by  
39 the state court of tax appeals under this subsection for the purpose of  
40 financing the costs incurred by the state that are directly attributable to  
41 assignment of declining enrollment weighting to enrollment of the dis-  
42 trict. The state court of tax appeals may authorize the district to make a  
43 levy which will produce an amount that is not greater than the amount

1 of revenues lost as a result of the declining enrollment of the district.  
2 Such amount shall not exceed 5% of the general fund budget of the  
3 district in the school year in which the district applies to the state court  
4 of tax appeals for authority to make a levy pursuant to this section.

5 (B) As an alternative to the authority provided in paragraph (1)(A), if  
6 a district was authorized to make a levy pursuant to this section in school  
7 year 2006-2007, such district shall remain authorized to make a levy at a  
8 rate necessary to generate revenue in the same amount that was gener-  
9 ated in school year 2007-2008 if the district adopts a local option budget  
10 in an amount equal to ~~the state prescribed percentage in effect in school~~  
11 ~~year 2006-2007~~ *20% of the state financial aid of the district for the current*  
12 *school year.*

13 (2) The state court of tax appeals shall certify to the state board the  
14 amount authorized to be produced by the levy of a tax under this section.

15 (3) The state board shall prescribe guidelines for the data that school  
16 districts shall include in cases before the state court of tax appeals pur-  
17 suant to this section.

18 (c) A district may levy the tax authorized pursuant to this section for  
19 a period of time not to exceed two years unless authority to make such  
20 levy is renewed by the state court of tax appeals. The state court of tax  
21 appeals may renew the authority to make such levy for periods of time  
22 not to exceed two years.

23 (d) The state board shall provide to the state court of tax appeals such  
24 school data and information requested by the state court of tax appeals  
25 and any other information deemed necessary by the state board.

26 (e) There is hereby established in every district a fund which shall be  
27 called the declining enrollment fund. Such fund shall consist of all moneys  
28 deposited therein or transferred thereto according to law. The proceeds  
29 from the tax levied by a district under authority of this section shall be  
30 credited to the declining enrollment fund of the district. The proceeds  
31 from the tax levied by a district credited to the declining enrollment fund  
32 shall be remitted to the state treasurer in accordance with the provisions  
33 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
34 remittance, the state treasurer shall deposit the entire amount in the state  
35 treasury to the credit of the state school district finance fund.

36 Sec. 9. K.S.A. 2009 Supp. 72-6410, 72-6415b, 72-6431, 72-6433, 72-  
37 6434, 72-6435, 72-6449 and 72-6451 are hereby repealed.

38 Sec. 10. This act shall take effect and be in force from and after its  
39 publication in the statute book.