

HOUSE BILL No. 2579

By Committee on Education

1-29

9 AN ACT concerning school districts; relating to financing the costs of
10 utility services and insurance.

11

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

13 Section 1. (a) As used in this section:

14 (1) "Utility services" means services provided to school facilities in-
15 cluding, but not limited to, gas, electric, water, telephone, sewage and
16 solid waste disposal.

17 (2) "Insurance" means health, medical, dental, errors and omissions,
18 property, fire, casualty and liability insurance.

19 (3) "School facility" means attendance centers, administrative build-
20 ings, sports facilities and any other buildings or structures owned, leased
21 or used by a school district.

22 (b) The board of education of any school district may levy a tax in an
23 amount not to exceed two mills for a period of not to exceed two years
24 upon the taxable tangible property in the school district for the purpose
25 of providing revenue for a special capital outlay fund to pay the costs of
26 insurance and utility services and for the purpose of paying a portion of
27 the principal and interest on bonds issued by cities under the authority
28 of K.S.A. 12-1774, and amendments thereto, for the financing of rede-
29 velopment projects upon property located within the school district. No
30 levy shall be made under this act until a resolution is adopted by the
31 board of education in the following form:

32 Unified School District No. _____,

33

_____ County, Kansas.

34

RESOLUTION

35 Be It Resolved that:

36 The above-named school board shall be authorized to make an annual tax levy for a period
37 not to exceed _____ year(s) in an amount not to exceed _____ mill(s) upon the taxable
38 tangible property in the school district for the purpose of _____ and for the purpose
39 of paying a portion of the principal and interest on bonds issued by cities under the authority
40 of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects
41 upon property located within the school district. The tax levy authorized by this resolution
42 may be made, unless a petition in opposition to the same, signed by not less than 10% of
43 the qualified electors of the school district, is filed with the county election officer of the

1 home county of the school district within 30 days after the last publication of this resolution.
 2 In the event a petition is filed the county election officer shall submit the question of whether
 3 the tax levy shall be authorized to the electors in the school district at an election called for
 4 the purpose or at the next general election, as is specified by the board of education of the
 5 above 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
 9 _____ day of _____, _____.

10 _____
 11 Clerk of the board of education.

12 The resolution shall be published at least once a week for two consec-
 13 utive weeks in a newspaper having general circulation in the school dis-
 14 trict. If no petition as specified above is filed in accordance with the
 15 provisions of the resolution, the board of education may make the tax
 16 levy specified in the resolution. If a sufficient petition is filed as provided
 17 in the resolution, the board of education may notify the county election
 18 officer of the date of an election to be held to submit the question of
 19 whether the tax levy shall be authorized. If the board of education fails
 20 to notify the county election officer within 60 days after a petition is filed,
 21 the resolution shall be deemed abandoned and no like resolution shall be
 22 adopted by the board of education within the nine months following the
 23 first publication of the resolution.

24 (c) Any board of education levying a tax authorized by this section
 25 shall establish a special capital outlay fund in which the proceeds of any
 26 tax levied under this section, except for an amount to pay a portion of the
 27 principal and interest on bonds issued by cities under the authority of
 28 K.S.A. 12-1774, and amendments thereto, for the financing of redevelop-
 29 ment projects upon property located within the school district, shall be
 30 deposited. The special capital outlay fund shall consist of all moneys de-
 31 posited therein or transferred thereto in accordance with law. Any moneys
 32 in the special capital outlay fund shall be used for the purpose of paying
 33 the costs of insurance and utility services for the district. The board may
 34 invest any portion of the special capital outlay fund which is not currently
 35 needed in investments authorized by K.S.A. 12-1675, and amendments
 36 thereto, in the manner prescribed therein or may invest the same in direct
 37 obligations of the United States government maturing or redeemable at
 38 par and accrued interest within three years from date of purchase, the
 39 principal and interest whereof is guaranteed by the government of the
 40 United States. All interest received on any such investment shall be cred-
 41 ited to the special capital outlay fund created pursuant to this section.

42 (d) The authority to levy a tax under this section shall be in addition
 43 to the authority granted to school districts under K.S.A. 72-8801 et seq.,

1 and amendments thereto.

2 (e) The provisions of subsection (a) of K.S.A. 2009 Supp. 79-5040,
3 and amendments thereto, shall not apply to the fund mill levy rate limi-
4 tation imposed by this section.

5 (f) The authority to levy a tax under this section shall expire on June
6 30, 2012.

7 Sec. 2. This act shall take effect and be in force from and after its
8 publication in the Kansas register.