

As Amended by House Committee

Session of 2010

HOUSE BILL No. 2647

By Representative Siegfroid

2-3

10 AN ACT concerning school districts; relating to school finance.

11

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

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

14 (1) "School district" means a school district which has adopted a local  
15 option budget equal to the state prescribed percentage.

16 (2) "Authorized to adopt a local activities budget" means that a dis-  
17 trict has adopted a resolution under this section and the resolution was  
18 approved at an election thereon.

19 (b) Each school year, the board of education of any district, by res-  
20 olution, may adopt a local activities budget. A local activities budget shall  
21 not exceed an amount equal to 5% of the ~~state financial aid~~ **local activ-**  
22 **ities budget computation factor** for the district for the current school  
23 year **as determined under section 2, and amendments thereto.**

24 (c) The resolution shall be published in substantial compliance with  
25 the following form:

26 Unified School District No. \_\_\_\_\_,

27 \_\_\_\_\_ County, Kansas.

28 RESOLUTION

29 Be It Resolved that:

30 The board of education of the above-named school district shall be authorized to adopt  
31 a local activities budget in each school year in an amount not to exceed \_\_\_\_\_% of the  
32 ~~state financial aid~~ **local activities budget computation factor** for the district for the  
33 current school year.

34 CERTIFICATE

35 This is to certify that the above resolution was duly adopted by the board of education of  
36 Unified School District No. \_\_\_\_\_, \_\_\_\_\_ County, Kansas, on the  
37 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

38 \_\_\_\_\_  
39 Clerk of the board of education.

40 All of the blanks in the resolution shall be appropriately filled. The  
41 blank preceding the percentage symbol shall be filled with a specific num-  
42 ber. No word shall be inserted in either of the blanks. The percentage  
43 specified in the resolution shall not exceed 5%. Such resolution shall not

1 be effective unless it is submitted to and approved by a majority of the  
2 qualified electors of the school district voting on the question at an elec-  
3 tion thereon. If any district is authorized to adopt a local activities budget  
4 under this section, but the board of such district chooses, in any school  
5 year, not to adopt such a budget or chooses, in any school year, to adopt  
6 such budget in an amount less than the amount of the percentage stated  
7 in the resolution, such board of education may so choose. Whenever an  
8 initial resolution has been adopted under this subsection, and such res-  
9 olution specified a percentage less than the percentage specified in the  
10 resolution, the board of the district may adopt one or more subsequent  
11 resolutions under the same procedure as provided for the initial resolu-  
12 tion and subject to the same conditions, and shall be authorized to in-  
13 crease the percentage as specified in any such subsequent resolution. Any  
14 percentage specified in a subsequent resolution or in subsequent reso-  
15 lutions shall be limited so that the sum of the percentage authorized in  
16 the initial resolution and the percentage authorized in any subsequent  
17 resolution is not in excess of 5% of the ~~state financial aid~~ **local activities**  
18 **budget computation factor** for the district for the current school year.  
19 If the resolution is not approved by a majority of the voters voting on the  
20 question at the election thereon, no like resolution shall be adopted by  
21 the board within the nine months following publication of the resolution.

22 (d) Any election called pursuant to this section shall be noticed, called  
23 and held in the manner provided by K.S.A. 10-120, and amendments  
24 thereto, for the noticing, calling and holding of elections upon the ques-  
25 tion of issuing bonds under the general bond law. Such election may be  
26 conducted in the manner provided by the mail ballot act.

27 (e) (1) There is hereby established in every district that adopts a local  
28 activities budget a fund which shall be called the local activities fund. The  
29 fund shall consist of all amounts deposited therein or credited thereto  
30 according to law.

31 (2) Except as provided by subsection (3), amounts in the local activ-  
32 ities fund may be expended for any purpose for which expenditures from  
33 the general fund are authorized or may be transferred to the general fund  
34 of the district or to any program weighted fund or categorical fund of the  
35 district.

36 (3) Amounts in the local activities fund may not be expended nor  
37 transferred to the general fund of the district for the purpose of funding  
38 the cost of providing the subjects or areas of instruction required by state  
39 law to be provided in accredited schools, including reasonable and nec-  
40 essary related instruction, administration, support staff, supplies, equip-  
41 ment and building costs.

42 (4) Any balance remaining in the local activities fund at the end of  
43 the school year shall be carried forward into that fund for succeeding

1 school years. Such fund shall not be subject to the provisions of K.S.A.  
 2 79-2925 through 79-2937, and amendments thereto. In preparing the  
 3 local activities budget of such school district, the amounts credited to and  
 4 the amount on hand in the local activities fund, and the amount expended  
 5 therefrom shall be included in the annual local activities fund budget for  
 6 the information of the residents of the school district. Interest earned on  
 7 the investment of moneys in any such fund shall be credited to that fund.

8 **Sec. 2. Each school year, the state board of education shall**  
 9 **determine the local activities budget computation factor of each**  
 10 **school district as follows:**

11 (a) **Determine the full-time equivalent enrollment of the dis-**  
 12 **trict; and**

13 (b) **multiply the number determined under (a) by the amount**  
 14 **of base state aid per pupil. The product is the budget computation**  
 15 **factor of the district.**

16 ~~Sec. 3.~~ (a) The board of a district that has adopted a local activities  
 17 budget may levy an ad valorem tax on the taxable tangible property of the  
 18 district for the purpose of financing that portion of the district's local  
 19 activities budget which is not financed from any other source provided  
 20 by law and for the purpose of paying a portion of the principal and interest  
 21 on bonds issued by cities under authority of K.S.A. 12-1774, and amend-  
 22 ments thereto, for the financing of redevelopment projects upon property  
 23 located within the district.

24 ~~(b) The board of every school district that has adopted a local activ-~~  
 25 ~~ities budget may grant an ad valorem tax exemption from an ad valorem~~  
 26 ~~tax authorized to be levied by subsection (a) on such entire subclass of~~  
 27 ~~real or personal property of the school district as described in this section.~~  
 28 ~~Such exemption may be granted for the following subclasses of property:~~  
 29 ~~Land and buildings and other improvements located upon land devoted~~  
 30 ~~to agricultural use, public utility property, real property used for com-~~  
 31 ~~mmercial and industrial purposes, public utility tangible personal property~~  
 32 ~~or commercial and industrial machinery and equipment, or any combi-~~  
 33 ~~nation thereof.~~

34 ~~(c)~~ The proceeds from the tax levied by a district under authority of  
 35 this section, except the proceeds of such tax levied for the purpose of  
 36 paying a portion of the principal and interest on bonds issued by cities  
 37 under authority of K.S.A. 12-1774, and amendments thereto, for the fi-  
 38 nancing of redevelopment projects upon property located within the dis-  
 39 trict, shall be deposited in the local activities fund of the district.

40 ~~Sec. 4.~~ This act shall take effect and be in force from and after its  
 41 publication in the statute book.