

## Substitute for HOUSE BILL No. 2739

By Education Budget Committee

3-22

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9 AN ACT concerning school districts; relating to school finance; amend-  
10 ing K.S.A. 2009 Supp. 72-6410, 72-6412, 72-6413, 72-6414, 72-6415b,  
11 72-6426, 72-6431, 72-6433, 72-6435, 72-6449, 72-6451, 72-6455, 72-  
12 6459 and 72-8804 and repealing the existing sections; also repealing  
13 K.S.A. 72-6429 and K.S.A. 2009 Supp. 72-6442b.  
14

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

16 New Section 1. (a) (1) The board of education of each school dis-  
17 trict shall levy an ad valorem tax upon the taxable tangible property of  
18 the district in the school years specified in K.S.A. 72-6431, and amend-  
19 ments thereto, for the purpose of:

20 (A) Financing the local foundation budget of the school district. The  
21 local foundation budget shall be that portion of the district's general fund  
22 budget which is not financed from any other source provided by law;

23 (B) paying a portion of the costs of operating and maintaining public  
24 schools in the district; and

25 (C) with respect to any redevelopment district established prior to  
26 July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, pay-  
27 ing a portion of the principal and interest on bonds issued by cities under  
28 authority of K.S.A. 12-1774, and amendments thereto, for the financing  
29 of redevelopment projects upon property located within the district.

30 (2) The local foundation budget of each school district shall be de-  
31 termined by the state board as follows:

32 (A) In school districts which adopt a local option budget under K.S.A.  
33 2009 Supp. 72-6433d, and amendments thereto, the state board shall:

34 (i) Determine the adjusted enrollment of the school district;

35 (ii) multiply the number determined under (i) by \$4,433;

36 (iii) add the amount of state aid for special education or related serv-  
37 ices received by the school district in school year 2008-2009 to the prod-  
38 uct obtained under (B); and

39 (iv) multiply the sum obtained under (iii) by .10. The product is the  
40 local foundation budget of the school district.

41 (B) In school districts which adopt a local option budget under K.S.A.  
42 2009 Supp. 72-6433, and amendments thereto, the state board shall:

43 (i) Determine the adjusted enrollment of the school district;

- 1 (ii) multiply the number determined under (i) by the base state aid  
2 per pupil; and
- 3 (iii) multiply the sum obtained under (ii) by .10. The product is the  
4 local foundation budget of the school district.
- 5 (3) The proceeds from the tax levied by a district under authority of  
6 this subsection, except the proceeds of such tax levied for the purpose of  
7 paying a portion of the principal and interest on bonds issued by cities  
8 under authority of K.S.A. 12-1774, and amendments thereto, for the fi-  
9 nancing of redevelopment projects upon property located within the dis-  
10 trict, shall be deposited in the general fund of the district.
- 11 (4) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
12 1964b, and amendments thereto.
- 13 (b) (1) In each school year, each district is eligible for state aid for  
14 levies imposed pursuant to subsection (a) in an amount determined by  
15 the state board as provided in this subsection. The state board shall:
- 16 (A) Determine the amount of the assessed valuation per pupil in the  
17 preceding school year of each district in the state;
- 18 (B) rank the districts from low to high on the basis of the amounts of  
19 assessed valuation per pupil determined under (A);
- 20 (C) identify the amount of the assessed valuation per pupil located  
21 at the 81.2 percentile of the amounts ranked under (B);
- 22 (D) divide the assessed valuation per pupil of the district in the pre-  
23 ceding school year by the amount identified under (C);
- 24 (E) subtract the ratio obtained under (D) from 1.0. If the resulting  
25 ratio equals or exceeds 1.0, the eligibility of the district for school district  
26 foundation state aid shall lapse. If the resulting ratio is less than 1.0, the  
27 district is entitled to receive state aid in an amount which shall be deter-  
28 mined by the state board by multiplying the amount obtained under sub-  
29 section (a)(2) by such ratio. The product is the amount of state aid the  
30 district is entitled to receive for the school year.
- 31 (2) If the amount of appropriations for such state aid is less than the  
32 amount each district is entitled to receive for the school year, the state  
33 board shall prorate the amount appropriated among the districts in pro-  
34 portion to the amount each district is entitled to receive.
- 35 (3) The state board shall prescribe the dates upon which the distri-  
36 bution of payments of state aid to school districts shall be due. Payments  
37 of state aid shall be distributed to districts on the dates prescribed by the  
38 state board. The state board shall certify to the director of accounts and  
39 reports the amount due each district, and the director of accounts and  
40 reports shall draw a warrant on the state treasurer payable to the treasurer  
41 of the district. Upon receipt of the warrant, the treasurer of the district  
42 shall credit the amount thereof to the general fund of the district to be  
43 used for the purposes of such fund.

1 (4) If any amount of state aid that is due to be paid during the month  
2 of June of a school year pursuant to the other provisions of this section  
3 is not paid on or before June 30 of such school year, then such payment  
4 shall be paid on or after the ensuing July 1, as soon as moneys are available  
5 therefor. Any payment of state aid that is due to be paid during the month  
6 of June of a school year and that is paid to school districts on or after the  
7 ensuing July 1 shall be recorded and accounted for by school districts as  
8 a receipt for the school year ending on the preceding June 30.

9 (5) Moneys received as state aid under this subsection shall be used  
10 solely to meet the requirements under the school performance accredi-  
11 tation system adopted by the state board, to provide programs and serv-  
12 ices required by law and to improve student performance.

13 (c) For the purposes of determining the total amount of state moneys  
14 paid to school districts, all moneys derived from the levy imposed pur-  
15 suant to subsection (a) and all state aid paid pursuant to subsection (b)  
16 shall be deemed to be state moneys for educational and support services  
17 for school districts.

18 New Sec. 2. (a) As used in this section:

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

21 (2) "Authorized to adopt a local activities budget" means that a dis-  
22 trict has adopted a resolution under this section, and except as provided  
23 by paragraph (3) of subsection (c), the resolution was approved at an  
24 election thereon.

25 (b) Each school year, the board of education of any district, by res-  
26 olution, may adopt a local activities budget. A local activities budget shall  
27 not exceed the amount determined by the state board under subsection  
28 (f).

29 (c) (1) The resolution shall be published in substantial compliance  
30 with the following form:

31 Unified School District No. \_\_\_\_\_,  
32 \_\_\_\_\_ County, Kansas.

33 RESOLUTION

34 Be It Resolved that:

35 The board of education of the above-named school district shall be authorized to adopt  
36 a local activities budget in each school year in an amount not to exceed \_\_\_\_\_% of the  
37 local activities budget computation factor for the district for the current school year.

38 CERTIFICATE

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

42 \_\_\_\_\_  
43 Clerk of the board of education.

1 (2) All of the blanks in the resolution shall be appropriately filled.  
2 The blank preceding the percentage symbol shall be filled with a specific  
3 number. No word shall be inserted in either of the blanks. The percentage  
4 specified in the resolution shall not exceed 5%. Except as provided in  
5 paragraph (3), such resolution shall not be effective unless it is submitted  
6 to and approved by a majority of the qualified electors of the school  
7 district voting on the question at an election thereon. If any district is  
8 authorized to adopt a local activities budget under this section, but the  
9 board of such district chooses, in any school year, not to adopt such a  
10 budget or chooses, in any school year, to adopt such budget in an amount  
11 less than the amount of the percentage stated in the resolution, such  
12 board of education may so choose. Whenever an initial resolution has  
13 been adopted under this subsection, and such resolution specified a per-  
14 centage less than the percentage specified in the resolution, the board of  
15 the district may adopt one or more subsequent resolutions under the  
16 same procedure as provided for the initial resolution and subject to the  
17 same conditions, and shall be authorized to increase the percentage as  
18 specified in any such subsequent resolution. Any percentage specified in  
19 a subsequent resolution or in subsequent resolutions shall be limited so  
20 that the sum of the percentage authorized in the initial resolution and  
21 the percentage authorized in any subsequent resolution is not in excess  
22 of 5% of the local activities budget computation factor for the district for  
23 the current school year. If the resolution is not approved by a majority of  
24 the voters voting on the question at the election thereon, no like resolu-  
25 tion shall be adopted by the board within the nine months following  
26 publication of the resolution.

27 (3) For school year 2010-2011, a resolution adopted pursuant to this  
28 section shall be effective upon adoption and shall require no other pro-  
29 cedure, authorization or approval. A resolution adopted for school year  
30 2010-2011 shall have no effect in ensuing school years.

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

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

40 (2) Except as provided by paragraph (3), amounts in the local activ-  
41 ities fund may be expended for any purpose for which expenditures from  
42 the general fund are authorized or may be transferred to the general fund  
43 of the district or to any program weighted fund or categorical fund of the

1 district.

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

8 (4) Any balance remaining in the local activities fund at the end of  
9 the school year shall be carried forward into that fund for succeeding  
10 school years. Such fund shall not be subject to the provisions of K.S.A.  
11 79-2925 through 79-2937, and amendments thereto. In preparing the  
12 local activities budget of such school district, the amounts credited to and  
13 the amount on hand in the local activities fund, and the amount expended  
14 therefrom shall be included in the annual local activities fund budget for  
15 the information of the residents of the school district. Interest earned on  
16 the investment of moneys in any such fund shall be credited to that fund.

17 (f) Each school year, the state board of education shall determine the  
18 local activities budget computation factor of each school district as fol-  
19 lows:

20 (1) Determine the full-time equivalent enrollment of the district in  
21 the preceding school year; and

22 (2) multiply the number determined under (1) by the amount of base  
23 state aid per pupil. The product is the budget computation factor of the  
24 district.

25 (g) (1) The board of a district that has adopted a local activities  
26 budget may levy an ad valorem tax on the taxable tangible property of the  
27 district for the purpose of financing that portion of the district's local  
28 activities budget which is not financed from any other source provided  
29 by law and for the purpose of paying a portion of the principal and interest  
30 on bonds issued by cities under authority of K.S.A. 12-1774, and amend-  
31 ments thereto, for the financing of redevelopment projects upon property  
32 located within the district.

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

39 New Sec. 3. (a) As used in this section, "school district" or "district"  
40 means any school district: (1) In which the actual amount per pupil for  
41 the preceding school year of the combined general fund budget and local  
42 option budget fund was less than the average actual amount per pupil for  
43 the preceding school year of the combined general fund budgets and local

1 option budgets of all school districts; and (2) which has adopted a local  
2 option budget equal to the state prescribed percentage.

3 (b) Each school year, the board of education of any district, by res-  
4 olution, may adopt an equity budget.

5 (c) (1) The resolution shall be published in substantial compliance  
6 with the following form:

7 Unified School District No. \_\_\_\_\_,  
8 \_\_\_\_\_ County, Kansas.

9 RESOLUTION

10 Be It Resolved that:

11 The board of education of the above-named school district shall be authorized to adopt  
12 an equity budget in an amount not to exceed \$\_\_\_\_\_.

13 CERTIFICATE

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

17 \_\_\_\_\_  
18 Clerk of the board of education.

19 (2) All of the blanks in the resolution shall be appropriately filled.  
20 The blank following the dollar symbol shall be filled with a specific num-  
21 ber. Except as provided in paragraph (3), such resolution shall not be  
22 effective unless it is submitted to and approved by a majority of the qual-  
23 ified electors of the school district voting on the question at an election  
24 thereon. If any district is authorized to adopt an equity budget under this  
25 section, but the board of such district chooses, in any school year, not to  
26 adopt such a budget or chooses, in any school year, to adopt such budget  
27 in an amount less than the amount stated in the resolution, such board  
28 of education may so choose. Whenever an initial resolution has been  
29 adopted under this subsection, and such resolution specified an amount  
30 less than the amount specified in the resolution, the board of the district  
31 may adopt one or more subsequent resolutions under the same procedure  
32 as provided for the initial resolution and subject to the same conditions,  
33 and shall be authorized to increase the amount as specified in any such  
34 subsequent resolution. Any amount specified in a subsequent resolution  
35 or in subsequent resolutions shall be limited so that the sum of the  
36 amounts does not exceed the limitation provided in paragraph (2) of sub-  
37 section (c). If the resolution is not approved by a majority of the voters  
38 voting on the question at the election thereon, no like resolution shall be  
39 adopted by the board within the nine months following publication of the  
40 resolution.

41 (3) For school year 2010-2011, a resolution adopted pursuant to this  
42 section shall be effective upon adoption and shall require no other pro-  
43 cedure, authorization or approval. A resolution adopted for school year

1 2010-2011 shall have no effect in ensuing school years.

2 (c) (1) Subject to the limitation provided in paragraph (2) each school  
3 year, the board of education of a school district may levy an ad valorem  
4 tax on the taxable tangible property of the district for the purpose of  
5 providing revenue for the equity budget fund of the district and for the  
6 purpose of paying a portion of the principal and interest on bonds issued  
7 by cities under authority of K.S.A. 12-1774, and amendments thereto, for  
8 the financing of redevelopment projects upon property located within the  
9 district.

10 (2) The total amount per pupil of the equity budget fund and the  
11 amount per pupil for the preceding school year of the combined general  
12 fund budget and local option budget shall not exceed the greater of:

13 (A) The average actual amount per pupil for the preceding school  
14 year of the combined general fund budgets and local option budgets of  
15 all school districts; or

16 (B) an amount equal to 7% of the sum of the general fund budget of  
17 the school district plus the amount of state aid for special education or  
18 related services received by the school district in school year 2008-2009.

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

25 (e) (1) There is hereby created in every school district the equity  
26 budget fund. The fund shall consist of amounts deposited therein or cred-  
27 ited thereto according to law.

28 (2) Subject to the limitation imposed under provision (3), amounts in  
29 the equity budget fund may be expended for any purpose for which ex-  
30 penditures from the general fund are authorized or may be transferred  
31 to the general fund of the district.

32 (3) Amounts in the equity budget fund may not be expended nor  
33 transferred to the general fund of the district for the purpose of making  
34 payments under any lease-purchase agreement involving the acquisition  
35 of land or buildings which is entered into pursuant to the provisions of  
36 K.S.A. 72-8225, and amendments thereto.

37 (4) Any balance remaining in the equity budget fund at the end of  
38 the budget year shall be carried forward into that fund for succeeding  
39 budget years. Interest earned on the investment of moneys in the equity  
40 budget fund shall be credited to the equity budget fund.

41 (f) (1) Except as provided in paragraph (2) a levy may not be imposed  
42 pursuant to this section unless the question of imposing such levy has  
43 been submitted to and approved by a majority of the qualified electors

1 of the school district voting at an election called and held thereon. The  
2 election shall be called and held at a school district or county primary or  
3 general election.

4 (2) For school year 2010-2011, a resolution adopted pursuant to this  
5 section shall be effective upon adoption and shall require no other pro-  
6 cedure, authorization or approval. A resolution adopted for school year  
7 2010-2011 shall have no effect in ensuing school years.

8 New Sec. 4. (a) (1) Subject to the provisions of paragraph (2), the  
9 board of education may transfer, in any school year, moneys from the  
10 following funds of the school district to the general fund of such school  
11 district: Adult supplemental education fund; bilingual education fund;  
12 virtual education fund; driver training fund; extraordinary school program  
13 fund; professional development fund; parent education program fund;  
14 summer school fund; vocational education fund; special reserve fund;  
15 textbook and student material revolving fund; preschool-aged at-risk ed-  
16 ucation fund; and the at-risk education fund.

17 (2) Moneys which are attributable to the assignment of a pupil  
18 weighting, federal money or derived from a tax levy, other than a levy  
19 imposed pursuant to K.S.A. 72-6431 or section 1, and amendments  
20 thereto, may not be transferred pursuant to this section.

21 (b) Any balance of moneys transferred to the general fund pursuant  
22 to this section shall not be deducted from state aid paid to the school  
23 district in the ensuing school year.

24 (c) Moneys in the general fund may be transferred to the contingency  
25 reserve fund of the district but not to any other fund of the district.

26 (d) Any federal aid, fees and state aid, other than general state aid  
27 and state aid paid under section 1, received in connection with the pro-  
28 grams financed with moneys from the funds listed in subsection (a) which  
29 are transferred to the general fund pursuant to this section shall be con-  
30 sidered reimbursements to the district for the purpose of the school dis-  
31 trict finance and quality performance act and may be expended whether  
32 they have been budgeted or not.

33 Sec. 5. K.S.A. 2009 Supp. 72-6410 is hereby amended to read as  
34 follows: 72-6410. (a) "State financial aid" means an amount equal to 90%  
35 of the product obtained by multiplying base state aid per pupil by the  
36 adjusted enrollment of a district.

37 (b) (1) "Base state aid per pupil" means an amount of state financial  
38 aid per pupil. Subject to the other provisions of this subsection, the  
39 amount of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and~~  
40 ~~\$4,492 in school year 2009-2010 and each school year thereafter~~ \$4,450.

41 (2) The amount of base state aid per pupil is subject to reduction  
42 commensurate with any reduction under K.S.A. 75-6704, and amend-  
43 ments thereto, in the amount of the appropriation from the state general

1 fund for general state aid. If the amount of appropriations for general  
2 state aid is insufficient to pay in full the amount each district is entitled  
3 to receive for any school year, the amount of base state aid per pupil for  
4 such school year is subject to reduction commensurate with the amount  
5 of the insufficiency.

6 (c) "Local effort" means the sum of an amount equal to the proceeds  
7 from the tax levied under authority of K.S.A. 72-6431, and amendments  
8 thereto, and an amount equal to any unexpended and unencumbered  
9 balance remaining in the general fund of the district, except amounts  
10 received by the district and authorized to be expended for the purposes  
11 specified in K.S.A. 72-6430, and amendments thereto, and an amount  
12 equal to any unexpended and unencumbered balances remaining in the  
13 program weighted funds of the district, except any amount in the voca-  
14 tional education fund of the district if the district is operating an area  
15 vocational school, and an amount equal to any remaining proceeds from  
16 taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amend-  
17 ments thereto, prior to the repeal of such statutory sections, and an  
18 amount equal to the amount deposited in the general fund in the current  
19 school year from amounts received in such year by the district under the  
20 provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto,  
21 and an amount equal to the amount deposited in the general fund in the  
22 current school year from amounts received in such year by the district  
23 pursuant to contracts made and entered into under authority of K.S.A.  
24 72-6757, and amendments thereto, and an amount equal to the amount  
25 credited to the general fund in the current school year from amounts  
26 distributed in such year to the district under the provisions of articles 17  
27 and 34 of chapter 12 of Kansas Statutes Annotated and under the pro-  
28 visions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated,  
29 and an amount equal to the amount of payments received by the district  
30 under the provisions of K.S.A. 72-979, and amendments thereto, and an  
31 amount equal to the amount of a grant, if any, received by the district  
32 under the provisions of K.S.A. 72-983, and amendments thereto, and an  
33 amount equal to 70% of the federal impact aid of the district.

34 (d) "Federal impact aid" means an amount equal to the federally  
35 qualified percentage of the amount of moneys a district receives in the  
36 current school year under the provisions of title I of public law 874 and  
37 congressional appropriations therefor, excluding amounts received for as-  
38 sistance in cases of major disaster and amounts received under the low-  
39 rent housing program. The amount of federal impact aid defined herein  
40 as an amount equal to the federally qualified percentage of the amount  
41 of moneys provided for the district under title I of public law 874 shall  
42 be determined by the state board in accordance with terms and conditions  
43 imposed under the provisions of the public law and rules and regulations

1 thereunder.

2 Sec. 6. K.S.A. 2009 Supp. 72-6412 is hereby amended to read as  
3 follows: 72-6412. (a) The low enrollment weighting shall be determined  
4 by the state board as provided by this section.

5 ~~(b) For districts with enrollment of 1,637 or more in school year~~  
6 ~~2006-2007, and 1,622 or more in school year 2007-2008 and each school~~  
7 ~~year thereafter, the low enrollment weighting shall be 0.~~

8 ~~(c) For districts with enrollment of less than 100, the low enrollment~~  
9 ~~weighting shall be equal to the low enrollment weighting of a district with~~  
10 ~~enrollment of 100.~~

11 ~~(d) For districts with enrollment of less than 1,637 in school year~~  
12 ~~2006-2007 and less than 1,622 in school year 2007-2008 and each school~~  
13 ~~year thereafter and more than 99, the low enrollment weighting shall be~~  
14 ~~determined by the state board as follows:~~

15 ~~(1) Determine the low enrollment weighting for such districts for~~  
16 ~~school year 2004-2005;~~

17 ~~(2) multiply the low enrollment weighting of each district determined~~  
18 ~~under paragraph (1) by 3,863;~~

19 ~~(3) add 3,863 to the product obtained under paragraph (2);~~

20 ~~(4) divide the product obtained under paragraph (3) by 4,107, and~~

21 ~~(5) subtract 1 from the product obtained under paragraph (4). The~~  
22 ~~difference shall be the low enrollment weighting of the district.~~

23 *(b) For districts with enrollment of 1,622 or more in school year 2010-*  
24 *2011 and each school year thereafter, the low enrollment weighting shall*  
25 *be 0.*

26 *(c) For districts with enrollment of 300 in school year 2010-2011 and*  
27 *each school year thereafter, the low enrollment weighting shall be*  
28 *.433939.*

29 *(d) For districts with enrollment of 100 or less in school year 2010-*  
30 *2011 and each school year thereafter, the low enrollment weighting shall*  
31 *be .946138.*

32 *(e) For districts with enrollment of more than 300, but less than 1,622*  
33 *in school year 2010-2011 and each school year thereafter, the low en-*  
34 *rollment weighting shall be determined by the state board based on a*  
35 *linear transition between the low enrollment weighting of districts in (b)*  
36 *and the low enrollment weighting of districts in (c).*

37 *(f) For districts with enrollment of more than 100, but less than 300*  
38 *in school year 2010-2011 and each school year thereafter, the low en-*  
39 *rollment weighting shall be determined by the state board based on a*  
40 *linear transition between the low enrollment weighting of districts in (c)*  
41 *and the low enrollment weighting of districts in (d).*

42 Sec. 7. K.S.A. 2009 Supp. 72-6413 is hereby amended to read as  
43 follows: 72-6413. (a) The program weighting of each district shall be de-

1 terminated by the state board as follows:

2 (1) Compute full time equivalent enrollment in programs of bilingual  
3 education and multiply the computed enrollment by ~~.305~~ *.3812 for school*  
4 *year 2010-2011 and each school year thereafter;*

5 (2) compute full time equivalent enrollment in approved vocational  
6 education programs and multiply the computed enrollment by ~~0.5~~ *.4825*  
7 *for school year 2010-2011 and each school year thereafter;*

8 (3) add the products obtained under (1) and (2). The sum is the pro-  
9 gram weighting of the district.

10 (b) A school district may expend amounts received from the bilingual  
11 weighting to pay the cost of providing at-risk and preschool-aged at-risk  
12 education programs and services.

13 Sec. 8. K.S.A. 2009 Supp. 72-6414 is hereby amended to read as  
14 follows: 72-6414. (a) The at-risk pupil weighting of each district shall be  
15 determined by the state board by multiplying the number of at-risk pupils  
16 included in enrollment of the district by ~~.278 for school year 2006-2007,~~  
17 ~~by .378 for school year 2007-2008 and by .456 for school year 2008-2009~~  
18 *.44 in school year 2010-2011 and each school year thereafter.* The product  
19 is the at-risk pupil weighting of the district.

20 (b) Except as provided in subsection (d), of the amount a district  
21 receives from the at-risk pupil weighting, an amount produced by a pupil  
22 weighting of .01 shall be used by the district for achieving mastery of  
23 basic reading skills by completion of the third grade in accordance with  
24 standards and outcomes of mastery identified by the state board under  
25 K.S.A. 72-7534, and amendments thereto.

26 (c) A district shall include such information in its at-risk pupil assis-  
27 tance plan as the state board may require regarding the district's reme-  
28 diation strategies and the results thereof in achieving the third grade  
29 reading standards and outcomes of mastery identified by the state board.  
30 The reporting requirements shall include information documenting re-  
31 mediation strategies and improvement made by pupils who performed  
32 below the expected standard on the second grade diagnostic reading test  
33 prescribed by the state board.

34 (d) A district whose pupils substantially achieve the state board stan-  
35 dards and outcomes of mastery of reading skills upon completion of third  
36 grade may be released, upon request, by the state board from the require-  
37 ments of subsection (b).

38 (e) (1) A district may expend amounts received from the at-risk pupil  
39 weighting to pay for the cost of providing full-day kindergarten to any  
40 pupil enrolled in the district and attending full-day kindergarten whether  
41 or not such pupil is an at-risk pupil.

42 (2) Nothing in this subsection shall be construed as requiring school  
43 districts to provide full-day kindergarten nor as requiring any pupil to

1 attend full-day kindergarten.

2 (3) As used in this subsection (e):

3 (A) "District" means any school district which offers both full-day and  
4 half-day kindergarten.

5 (B) "Cost" means that portion of the cost of providing full-day kin-  
6 dergarten which is not paid by the state.

7 (f) A school district may expend amounts received from the at-risk  
8 weighting to pay the cost of providing preschool-aged at-risk, bilingual  
9 and vocational education programs and services.

10 Sec. 9. K.S.A. 2009 Supp. 72-6415b is hereby amended to read as  
11 follows: 72-6415b. School facilities weighting may be assigned to enroll-  
12 ment of a district only if the district has adopted a local option budget in  
13 an amount equal to at least ~~25%~~ 17% of the *sum obtained by adding the*  
14 *amount of the state financial aid determined for of the district in and the*  
15 *amount of the local foundation budget for the current school year.* School  
16 facilities weighting may be assigned to enrollment of the district only in  
17 the school year in which operation of a new school facility is commenced  
18 and in the next succeeding school year.

19 Sec. 10. K.S.A. 2009 Supp. 72-6426 is hereby amended to read as  
20 follows: 72-6426. (a) There is hereby established in every district a fund  
21 which shall be called the contingency reserve fund. Such fund shall consist  
22 of all moneys deposited therein or transferred thereto according to law.  
23 The fund shall be maintained for payment of expenses of a district attrib-  
24 utable to financial contingencies as determined by the board.

25 (b) ~~(1)~~ Except as otherwise provided in subsection (c), at no time ~~in~~  
26 ~~school year 2008-2009 through school year 2011-2012~~ shall the amount  
27 maintained in the contingency reserve fund exceed an amount equal to  
28 ~~10%~~ 15% of the general fund budget of the district for the school year.

29 ~~(2) Except as otherwise provided in subsection (c), at no time in~~  
30 ~~school year 2012-2013 or any school year thereafter shall the amount~~  
31 ~~maintained in the contingency reserve fund exceed an amount equal to~~  
32 ~~6% of the general fund budget of the district for the school year.~~

33 (c) (1) If the amount in the contingency reserve fund of a district is  
34 in excess of the amount authorized under subsection (b), and if such  
35 excess amount is the result of a reduction in the general fund budget of  
36 the district for the school year because of a decrease in enrollment, the  
37 district may maintain the excess amount in the fund until depletion of  
38 such excess amount by expenditure from the fund for the purposes  
39 thereof.

40 (2) The limitation on the amount which may be maintained in the  
41 contingency reserve fund imposed under subsection (b) shall not apply  
42 to any district whose state financial aid is computed under the provisions  
43 of K.S.A. 72-6445a, and amendments thereto. Any such district may main-

1 tain the excess amount in the fund until depletion of such excess amount  
2 by expenditure from the fund for the purposes thereof.

3 Sec. 11. K.S.A. 2009 Supp. 72-6431 is hereby amended to read as  
4 follows: 72-6431. (a) The board of each district shall levy an ad valorem  
5 tax upon the taxable tangible property of the district in the school years  
6 specified in subsection (b) for the purpose of:

7 (1) Financing *the state-level foundation obligation*. *The state-level*  
8 *foundation obligation shall be* that portion of the district's general fund  
9 budget which is not financed from any other source provided by law;

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

13 (3) with respect to any redevelopment district established prior to  
14 July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, pay-  
15 ing a portion of the principal and interest on bonds issued by cities under  
16 authority of K.S.A. 12-1774, and amendments thereto, for the financing  
17 of redevelopment projects upon property located within the district.

18 (b) The tax required under subsection (a) shall be levied at a rate of  
19 20 mills in the school year 2009-2010 and school year 2010-2011.

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

26 (d) On June 6 of each year, the amount, if any, by which a district's  
27 local effort exceeds the amount of the district's state financial aid, as  
28 determined by the state board, shall be remitted to the state treasurer.  
29 Upon receipt of any such remittance, the state treasurer shall deposit the  
30 same in the state treasury to the credit of the state school district finance  
31 fund.

32 (e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
33 1964b, and amendments thereto.

34 Sec. 12. K.S.A. 2009 Supp. 72-6433 is hereby amended to read as  
35 follows: 72-6433. (a) As used in this section:

36 (1) "State prescribed percentage" means ~~31%~~ 18% of state financial  
37 aid of the district in the current school year *the foundation funding*.

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

42 (3) "Foundation funding" means *the sum obtained by adding the*  
43 *amount of the state-level foundation obligation and the local foundation*

1 *budget.*

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

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

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

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

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

14 (2) the state-wide average for the preceding school year as deter-  
15 mined by the state board pursuant to subsection (j).

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

20 (d) If the board of a district desires to increase its local option budget  
21 authority above the amount authorized under subsection (c) or if the  
22 board was not authorized to adopt a local option budget in 2006-2007,  
23 the board may adopt, by resolution, such budget in an amount not to  
24 exceed the state prescribed percentage. The adoption of a resolution pur-  
25 suant to this subsection shall require a majority vote of the members of  
26 the board. The resolution shall be published at least once in a newspaper  
27 having general circulation in the district. The resolution shall be published  
28 in substantial compliance with the following form:

29 Unified School District No. \_\_\_\_\_,  
30 \_\_\_\_\_ County, Kansas.

31 RESOLUTION

32 Be It Resolved that:

33 The board of education of the above-named school district shall be authorized to adopt  
34 a local option budget in each school year in an amount not to exceed \_\_\_\_\_% of the ~~amount~~  
35 ~~of state financial aid~~ *foundation funding*. The local option budget authorized by this reso-  
36 lution may be adopted, unless a petition in opposition to the same, signed by not less than  
37 5% of the qualified electors of the school district, is filed with the county election officer of  
38 the home county of the school district within 30 days after publication of this resolution. If  
39 a petition is filed, the county election officer shall submit the question of whether adoption  
40 of the local option budget shall be authorized to the electors of the school district at an  
41 election called for the purpose or at the next general election, as is specified by the board  
42 of education of the school district.

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CERTIFICATE

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

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

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

(e) (1) Any resolution authorizing the adoption of a local option budget in excess of ~~30%~~ 17% of the ~~state financial aid of the district in the current school year~~ foundation funding shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the school district voting at an election called and held thereon. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto.

(2) *If a school district adopted a resolution authorizing the adoption of a local option budget in excess of 30% of the state financial aid, as that term was defined prior to the effective date of this act, of the district and such resolution was submitted to and approved by a majority of the qualified electors of the district voting at an election called and held thereon prior to the effective date of this act, such district may adopt a local option budget in excess of the amount provided by paragraph (1) of this subsection without submitting the resolution to an election. In no case shall the district adopt a resolution authorizing the adoption of a local option budget in excess of 18% of the foundation funding.*

(f) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any district which is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing

1 adoption of such budget.

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

7 (h) The board of any district that is authorized to adopt a local option  
8 budget prior to the effective date of this act under a resolution which  
9 authorized the adoption of such budget in accordance with the provisions  
10 of this section in effect prior to its amendment by this act may continue  
11 to operate under such resolution for the period of time specified in the  
12 resolution or may abandon the resolution and operate under the provi-  
13 sions of this section as amended by this act. Any such district shall operate  
14 under the provisions of this section as amended by this act after the period  
15 of time specified in the resolution has expired.

16 (i) Any resolution adopted pursuant to this section may revoke or  
17 repeal any resolution previously adopted by the board. If the resolution  
18 does not revoke or repeal previously adopted resolutions, all resolutions  
19 which are in effect shall expire on the same date. The maximum amount  
20 of the local option budget of a school district under all resolutions in effect  
21 shall not exceed the state prescribed percentage in any school year.

22 (j) (1) There is hereby established in every district that adopts a local  
23 option budget a fund which shall be called the supplemental general fund.  
24 The fund shall consist of all amounts deposited therein or credited thereto  
25 according to law.

26 (2) Subject to the limitation imposed under paragraph (3) and sub-  
27 section (e) of K.S.A. 72-6434, and amendments thereto, amounts in the  
28 supplemental general fund may be expended for any purpose for which  
29 expenditures from the general fund are authorized or may be transferred  
30 to any program weighted fund or categorical fund of the district. Amounts  
31 in the supplemental general fund attributable to any percentage over ~~25%~~  
32 ~~17% of state financial aid determined for the current school year~~ *the*  
33 *foundation funding* may be transferred to the capital improvements fund  
34 of the district and the capital outlay fund of the district if such transfers  
35 are specified in the resolution authorizing the adoption of a local option  
36 budget in excess of ~~25%~~ 17%.

37 (3) Amounts in the supplemental general fund may not be expended  
38 for the purpose of making payments under any lease-purchase agreement  
39 involving the acquisition of land or buildings which is entered into pur-  
40 suant to the provisions of K.S.A. 72-8225, and amendments thereto.

41 (4) (A) Except as provided in paragraph (B), any unexpended budget  
42 remaining in the supplemental general fund of a district at the conclusion  
43 of any school year in which a local option budget is adopted shall be

1 maintained in such fund.

2 (B) If the district received supplemental general state aid in the  
3 school year, the state board shall determine the ratio of the amount of  
4 supplemental general state aid received to the amount of the local option  
5 budget of the district for the school year and multiply the total amount  
6 of the unexpended budget remaining by such ratio. An amount equal to  
7 the amount of the product shall be transferred to the general fund of the  
8 district or remitted to the state treasurer. Upon receipt of any such re-  
9 mittance, the state treasurer shall deposit the same in the state treasury  
10 to the credit of the state school district finance fund.

11 (k) Each year the state board of education shall determine the state-  
12 wide average percentage of local option budgets legally adopted by school  
13 districts for the preceding school year.

14 (l) *In school year 2010-2011, a school district may adopt a local op-  
15 tion budget in an amount equal to the amount of the local option budget  
16 the district was authorized to adopt in school year 2009-2010 less an  
17 amount equal to the local foundation budget of the school district.*

18 *To the extent that the provisions of this subsection conflict with the  
19 other provisions of this section, this subsection shall control.*

20 (m) The provisions of this section shall be subject to the provisions  
21 of K.S.A. 2009 Supp. 72-6433d, and amendments thereto.

22 Sec. 13. K.S.A. 2009 Supp. 72-6435 is hereby amended to read as  
23 follows: 72-6435. (a) In each school year, the board of every district that  
24 has adopted a local option budget may levy an ad valorem tax on the  
25 taxable tangible property of the district for the purpose of: (1) Financing  
26 that portion of the district's local option budget which is not financed  
27 from any other source provided by law; (2) paying a portion of the prin-  
28 cipal and interest on bonds issued by cities under authority of K.S.A. 12-  
29 1774, and amendments thereto, for the financing of redevelopment pro-  
30 jects upon property located within the district; and (3) funding transfers  
31 to the capital improvement fund of the district and the capital outlay fund  
32 of the district if such transfers are specified in the resolution authorizing  
33 the adoption of a local option budget in excess of ~~25%~~ 17% of ~~state~~  
34 ~~financial aid determined for the current school year~~ *the foundation fund-*  
35 *ing.*

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

42 (c) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
43 1964b, and amendments to such sections.

- 1     Sec. 14. K.S.A. 2009 Supp. 72-6449 is hereby amended to read as  
2 follows: 72-6449. (a) As used in this section, “school district” or “district”  
3 means a school district authorized to make a levy under this section.
- 4     (b) The board of education of any district may levy a tax on the taxable  
5 tangible property within the district for the purpose of financing the costs  
6 incurred by the state that are attributable directly to assignment of the  
7 cost of living weighting to the enrollment of the district. There is hereby  
8 established in every school district a fund which shall be called the cost  
9 of living fund, which fund shall consist of all moneys deposited therein  
10 or transferred thereto in accordance with law. All moneys derived from  
11 a tax imposed pursuant to this section shall be credited to the cost of  
12 living fund. The proceeds from the tax levied by a district credited to the  
13 cost of living fund shall be remitted to the state treasurer in accordance  
14 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
15 receipt of each such remittance, the state treasurer shall deposit the entire  
16 amount in the state treasury to the credit of the state school district fi-  
17 nance fund.
- 18     (c) The state board of education shall determine whether a district  
19 may levy a tax under this section as follows:
- 20     (1) Determine the statewide average appraised value of single family  
21 residences for the calendar year preceding the current school year;
- 22     (2) multiply the amount determined under (1) by 1.25;
- 23     (3) determine the average appraised value of single family residences  
24 in each school district for the calendar year preceding the current school  
25 year; and
- 26     (4) (A) subtract the amount determined under (2) from the amount  
27 determined under (3). If the amount determined for the district under  
28 this paragraph is a positive number and the district is authorized to adopt  
29 and has adopted a local option budget in an amount equal to at least ~~31%~~  
30 ~~18% of the state financial aid for the school district foundation funding,~~  
31 the district qualifies for assignment of cost of living weighting and may  
32 levy a tax on the taxable tangible property of the district for the purpose  
33 of financing the costs that are attributable directly to assignment of the  
34 cost of living weighting to enrollment of the district; or
- 35     (B) As an alternative to the authority provided in paragraph (4)(A), if  
36 a district was authorized to make a levy pursuant to this section in school  
37 year 2006-2007, such district shall remain authorized to levy such tax at  
38 a rate necessary to generate revenue in the same amount generated in  
39 school year 2006-2007 if: (i) The amount determined under paragraph  
40 (4)(A) is a positive number; and (ii) the district continues to adopt a local  
41 option budget in an amount equal to ~~the state prescribed percentage in~~  
42 ~~effect in school year 2006-2007~~ *17% of the foundation funding.*
- 43     (d) No tax may be levied under this section unless the board of ed-

1 ucation adopts a resolution authorizing such a tax levy and publishes the  
2 resolution at least once in a newspaper having general circulation in the  
3 district. Except as provided by subsection (e), the resolution shall be pub-  
4 lished in substantial compliance with the following form:

5 Unified School District No. \_\_\_\_\_,  
6 \_\_\_\_\_ County, Kansas.

7 RESOLUTION

8 Be It Resolved that:

9 The board of education of the above-named school district shall be authorized to levy an  
10 ad valorem tax in an amount not to exceed the amount necessary to finance the costs  
11 attributable directly to the assignment of cost of living weighting to the enrollment of the  
12 district. The ad valorem tax authorized by this resolution may be levied unless a petition in  
13 opposition to the same, signed by not less than 5% of the qualified electors of the school  
14 district, is filed with the county election officer of the home county of the school district  
15 within 30 days after the publication of this resolution. If a petition is filed, the county election  
16 officer shall submit the question of whether the levy of such a tax shall be authorized in  
17 accordance with the provisions of this resolution to the electors of the school district at the  
18 next general election of the school district, as is specified by the board of education of the  
19 school district.

20 CERTIFICATE

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

24 \_\_\_\_\_  
25 Clerk of the board of education.

26 All of the blanks in the resolution shall be filled. If no petition as spec-  
27 ified above is filed in accordance with the provisions of the resolution,  
28 the resolution authorizing the ad valorem tax levy shall become effective.  
29 If a petition is filed as provided in the resolution, the board may notify  
30 the county election officer to submit the question of whether such tax  
31 levy shall be authorized. If the board fails to notify the county election  
32 officer within 30 days after a petition is filed, the resolution shall be  
33 deemed abandoned and of no force and effect and no like resolution shall  
34 be adopted by the board within the nine months following publication of  
35 the resolution. If a majority of the votes cast in an election conducted  
36 pursuant to this provision are in favor of the resolution, such resolution  
37 shall be effective on the date of such election. If a majority of the votes  
38 cast are not in favor of the resolution, the resolution shall be deemed of  
39 no effect and no like resolution shall be adopted by the board within the  
40 nine months following such election.

41 Sec. 15. K.S.A. 2009 Supp. 72-6451 is hereby amended to read as  
42 follows: 72-6451. (a) As used in this section:

- 43 (1) "School district" or "district" means a school district which: (A)

1 Has a declining enrollment; and (B) has adopted a local option budget in  
2 an amount which equals at least ~~31%~~ 18% of the ~~state financial aid for~~  
3 ~~the school district~~ *foundation funding* at the time the district applies to  
4 the state court of tax appeals for authority to make a levy pursuant to this  
5 section.

6 (2) “Declining enrollment” means an enrollment which has declined  
7 in amount from that of the preceding school year.

8 (b) (1) (A) A school district may levy an ad valorem tax on the taxable  
9 tangible property of the district each year for a period of time not to  
10 exceed two years in an amount not to exceed the amount authorized by  
11 the state court of tax appeals under this subsection for the purpose of  
12 financing the costs incurred by the state that are directly attributable to  
13 assignment of declining enrollment weighting to enrollment of the dis-  
14 trict. The state court of tax appeals may authorize the district to make a  
15 levy which will produce an amount that is not greater than the amount  
16 of revenues lost as a result of the declining enrollment of the district.  
17 Such amount shall not exceed 5% of the general fund budget of the  
18 district in the school year in which the district applies to the state court  
19 of tax appeals for authority to make a levy pursuant to this section.

20 (B) As an alternative to the authority provided in paragraph (1)(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 make a levy at a  
23 rate necessary to generate revenue in the same amount that was gener-  
24 ated in school year 2007-2008 if the district adopts a local option budget  
25 in an amount equal to the state prescribed percentage in effect in school  
26 year 2006-2007.

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

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

32 (c) A district may levy the tax authorized pursuant to this section for  
33 a period of time not to exceed two years unless authority to make such  
34 levy is renewed by the state court of tax appeals. The state court of tax  
35 appeals may renew the authority to make such levy for periods of time  
36 not to exceed two years.

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

40 (e) There is hereby established in every district a fund which shall be  
41 called the declining enrollment fund. Such fund shall consist of all moneys  
42 deposited therein or transferred thereto according to law. The proceeds  
43 from the tax levied by a district under authority of this section shall be

1 credited to the declining enrollment fund of the district. The proceeds  
2 from the tax levied by a district credited to the declining enrollment fund  
3 shall be remitted to the state treasurer in accordance with the provisions  
4 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
5 remittance, the state treasurer shall deposit the entire amount in the state  
6 treasury to the credit of the state school district finance fund.

7 Sec. 16. K.S.A. 2009 Supp. 72-6455 is hereby amended to read as  
8 follows: 72-6455. (a) As used in this section, school district means any  
9 district having: (1) An enrollment of at least 50% at-risk pupils; or (2) an  
10 enrollment of at least 35.1% at-risk pupils and an enrollment density of  
11 at least 212.1 pupils per square mile.

12 (b) The high density at-risk pupil weighting of each school district  
13 shall be determined by the state board by multiplying the number of at-  
14 risk pupils by ~~10~~ .0965 *in school year 2010-2011 and each school year*  
15 *thereafter*. The product is the high density at-risk pupil weighting of the  
16 district.

17 (c) If a school district becomes ineligible for high density at-risk pupil  
18 weighting because enrollment of at-risk pupils in the district falls below  
19 the requirements of subsection (a), the high density at-risk pupil weight-  
20 ing of the district shall be the greater of: (1) The high density at-risk pupil  
21 weighting in the current school year; (2) the high density at-risk pupil  
22 weighting in the prior school year; or (3) the average of the high density  
23 at-risk pupil weighting in the current school year and the preceding two  
24 school years.

25 The provisions of this subsection shall expire on June 30, 2011.

26 Sec. 17. K.S.A. 2009 Supp. 72-6459 is hereby amended to read as  
27 follows: 72-6459. (a) As used in this section, "school district" means any  
28 district having an enrollment of at least 40% but less than 50% at-risk  
29 pupils.

30 (b) The medium density at-risk pupil weighting of each school district  
31 shall be determined by the state board by multiplying the number of at-  
32 risk pupils by ~~06~~ .0579 *in school year 2010-2011 and each school year*  
33 *thereafter*. The product is the medium density at-risk pupil weighting of  
34 the district.

35 (c) If a school district becomes ineligible for medium density at-risk  
36 pupil weighting because enrollment of at-risk pupils in the district falls  
37 below the requirement of subsection (a), the medium density at-risk pupil  
38 weighting of the district shall be the greater of: (1) The medium density  
39 at-risk pupil weighting in the current school year; (2) the medium density  
40 at-risk pupil weighting in the prior school year; or (3) the average of the  
41 medium density at-risk pupil weighting in the current school year and the  
42 preceding two school years.

43 The provisions of this subsection shall expire on June 30, 2011.

1     Sec. 18. K.S.A. 72-8804 is hereby amended to read as follows: 72-  
2 8804. *(a) Except as provided in subsection (b), any moneys in the capital*  
3 *outlay fund of any school district and any moneys received from issuance*  
4 *of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto,*  
5 *may be used for the purpose of the acquisition, construction, reconstruc-*  
6 *tion, repair, remodeling, additions to, furnishing and equipping of build-*  
7 *ings necessary for school district purposes, including housing and board-*  
8 *ing pupils enrolled in an area vocational school operated under the board*  
9 *of education, architectural expenses incidental thereto, the acquisition of*  
10 *building sites, the undertaking and maintenance of asbestos control pro-*  
11 *jects, the acquisition of school buses and the acquisition of other equip-*  
12 *ment. The board of education of any school district is hereby authorized*  
13 *to invest any portion of the capital outlay fund of the school district which*  
14 *is not currently needed in investments authorized by K.S.A. 12-1675, and*  
15 *amendments thereto, in the manner prescribed therein or may invest the*  
16 *same in direct obligations of the United States government maturing or*  
17 *redeemable at par and accrued interest within three years from date of*  
18 *purchase, the principal and interest whereof is guaranteed by the gov-*  
19 *ernment of the United States. All interest received on any such invest-*  
20 *ment shall upon receipt thereof be credited to the capital outlay fund.*

21     *(b) Moneys in the capital outlay fund which are attributable to trans-*  
22 *fers of moneys from the general fund of a school district in school year*  
23 *2008-2009 may be transferred to the contingency reserve fund of the*  
24 *district in school year 2009-2010.*

25     Sec. 19. K.S.A. 72-6429 and K.S.A. 2009 Supp. 72-6410, 72-6412,  
26 72-6413, 72-6414, 72-6415b, 72-6426, 72-6431, 72-6433, 72-6435, 72-  
27 6442b, 72-6449, 72-6451, 72-6455, 72-6459 and 72-8804 are hereby re-  
28 pealed.

29     Sec. 20. This act shall take effect and be in force from and after its  
30 publication in the statute book.