

HOUSE BILL No. 2200

By Committee on Education

2-8

1 AN ACT concerning school districts; relating to state aid for capital
2 improvements and capital outlay; amending K.S.A. 2010 Supp. 72-
3 8814 and 75-2319 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2010 Supp. 72-8814 is hereby amended to read as
7 follows: 72-8814. (a) There is hereby established in the state treasury the
8 school district capital outlay state aid fund. Such fund shall consist of all
9 amounts transferred thereto under the provisions of subsection (c).

10 (b) In each school year, each school district which levies a tax
11 pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be
12 entitled to receive payment from the school district capital outlay state aid
13 fund in an amount determined by the state board of education as provided
14 in this subsection. The state board of education shall:

15 (1) Determine the amount of the assessed valuation per pupil
16 (AVPP) of each school district in the state and round such amount to the
17 nearest \$1,000. The rounded amount is the AVPP of a school district for
18 the purposes of this section;

19 (2) determine the median AVPP of all school districts;

20 (3) prepare a schedule of dollar amounts using the amount of the
21 median AVPP of all school districts as the point of beginning. The
22 schedule of dollar amounts shall range upward in equal \$1,000 intervals
23 from the point of beginning to and including an amount that is equal to
24 the amount of the AVPP of the school district with the highest AVPP of all
25 school districts and shall range downward in equal \$1,000 intervals from
26 the point of beginning to and including an amount that is equal to the
27 amount of the AVPP of the school district with the lowest AVPP of all
28 school districts;

29 (4) (A) determine a state aid percentage factor for each school
30 district by assigning a state aid computation percentage to the amount of
31 the median AVPP shown on the schedule, decreasing the state aid
32 computation percentage assigned to the amount of the median AVPP by
33 one percentage point for each \$1,000 interval above the amount of the
34 median AVPP, and increasing the state aid computation percentage
35 assigned to the amount of the median AVPP by one percentage point for
36 each \$1,000 interval below the amount of the median AVPP. Except as

1 provided by K.S.A. 2010 Supp. 72-8814b, and amendments thereto, the
2 state aid percentage factor of a school district is the percentage assigned
3 to the schedule amount that is equal to the amount of the AVPP of the
4 school district, except that the state aid percentage factor of a school
5 district shall not exceed 100%. ~~The state aid computation percentage is~~
6 ~~25%;~~

7 *(B) (i) For levies imposed by a school district pursuant to a resolution*
8 *adopted and published under this section prior to July 1, 2011, and such*
9 *resolution either was not protested or that it was protested and an*
10 *election has been held prior to July 1, 2011, the state aid computation*
11 *percentage is 25%.*

12 *(ii) For levies imposed by a school district pursuant to a resolution*
13 *adopted and published under this section prior to July 1, 2011, and the*
14 *protest period had not expired prior to July 1, 2011, or such resolution*
15 *was protested and the election was not held prior to July 1, 2011, the*
16 *state aid computation percentage is 15%.*

17 *(iii) For levies imposed by a school district pursuant to a resolution*
18 *adopted on or after July 1, 2011, the state aid computation percentage is*
19 *15%; and*

20 (5) determine the amount levied by each school district pursuant to
21 K.S.A. 72-8801 et seq., and amendments thereto; *and*

22 (6) multiply the amount computed under (5), but not to exceed 8
23 mills, by the applicable state aid percentage factor. The product is the
24 amount of payment the school district is entitled to receive from the
25 school district capital outlay state aid fund in the school year.

26 (c) The state board shall certify to the director of accounts and
27 reports the entitlements of school districts determined under the
28 provisions of subsection (b), and an amount equal thereto shall be
29 transferred by the director from the state general fund to the school
30 district capital outlay state aid fund for distribution to school districts,
31 except that no transfers shall be made from the state general fund to the
32 school district capital outlay state aid fund during the fiscal years ending
33 June 30, 2011, or June 30, 2012. All transfers made in accordance with
34 the provisions of this subsection shall be considered to be demand
35 transfers from the state general fund.

36 (d) Payments from the school district capital outlay state aid fund
37 shall be distributed to school districts at times determined by the state
38 board of education. The state board of education shall certify to the
39 director of accounts and reports the amount due each school district
40 entitled to payment from the fund, and the director of accounts and
41 reports shall draw a warrant on the state treasurer payable to the treasurer
42 of the school district. Upon receipt of the warrant, the treasurer of the
43 school district shall credit the amount thereof to the capital outlay fund of

1 the school district to be used for the purposes of such fund.

2 (e) Amounts transferred to the capital outlay fund of a school district
3 as authorized by K.S.A. 72-6433, and amendments thereto, shall not be
4 included in the computation when determining the amount of state aid to
5 which a district is entitled to receive under this section.

6 Sec. 2. K.S.A. 2010 Supp. 75-2319 is hereby amended to read as
7 follows: 75-2319. (a) There is hereby established in the state treasury the
8 school district capital improvements fund. The fund shall consist of all
9 amounts transferred thereto under the provisions of subsection (c).

10 (b) Subject to the provisions of subsection (f), in each school year,
11 each school district which is obligated to make payments from its capital
12 improvements fund shall be entitled to receive payment from the school
13 district capital improvements fund in an amount determined by the state
14 board of education as provided in this subsection. The state board of
15 education shall:

16 (1) Determine the amount of the assessed valuation per pupil
17 (AVPP) of each school district in the state and round such amount to the
18 nearest \$1,000. The rounded amount is the AVPP of a school district for
19 the purposes of this section;

20 (2) determine the median AVPP of all school districts;

21 (3) prepare a schedule of dollar amounts using the amount of the
22 median AVPP of all school districts as the point of beginning. The
23 schedule of dollar amounts shall range upward in equal \$1,000 intervals
24 from the point of beginning to and including an amount that is equal to
25 the amount of the AVPP of the school district with the highest AVPP of all
26 school districts and shall range downward in equal \$1,000 intervals from
27 the point of beginning to and including an amount that is equal to the
28 amount of the AVPP of the school district with the lowest AVPP of all
29 school districts;

30 (4) (A) determine a state aid percentage factor for each school
31 district by assigning a state aid computation percentage to the amount of
32 the median AVPP shown on the schedule, decreasing the state aid
33 computation percentage assigned to the amount of the median AVPP by
34 one percentage point for each \$1,000 interval above the amount of the
35 median AVPP, and increasing the state aid computation percentage
36 assigned to the amount of the median AVPP by one percentage point for
37 each \$1,000 interval below the amount of the median AVPP. Except as
38 provided by K.S.A. 2010 Supp. 75-2319c, and amendments thereto, the
39 state aid percentage factor of a school district is the percentage assigned
40 to the schedule amount that is equal to the amount of the AVPP of the
41 school district. The state aid percentage factor of a school district shall
42 not exceed 100%. ~~The state aid computation percentage is 5% for~~
43 ~~contractual bond obligations incurred by a school district prior to the~~

1 ~~effective date of this act, and 25% for contractual bond obligations-~~
2 ~~incurred by a school district on or after the effective date of this act;~~

3 *(B) (i) For contractual bond obligations incurred by a school district*
4 *prior to July 1, 1992, the state aid computation percentage is 5%.*

5 *(ii) For contractual bond obligations incurred by a school district on*
6 *or after July 1, 1992, if the issuance of such bonds has been approved by*
7 *the electors of the school district at an election held prior to July 1, 2011,*
8 *the state aid computation percentage is 25%.*

9 *(iii) For contractual bond obligations incurred by a school district the*
10 *issuance of which was approved by the electors of the district at an*
11 *election held on or after July 1, 2011, the state aid computation*
12 *percentage is 15%;*

13 (5) determine the amount of payments in the aggregate that a school
14 district is obligated to make from its bond and interest fund and, of such
15 amount, compute the amount attributable to contractual bond obligations
16 incurred by the school district ~~prior to the effective date of this act and the~~
17 ~~amount attributable to contractual bond obligations incurred by the school~~
18 ~~district on or after the effective date of this act under paragraphs (4)(B)~~
19 ~~(i), (4)(B)(ii) and (4)(B)(iii) of this subsection;~~

20 (6) multiply each of the amounts computed under (5) by the
21 applicable state aid percentage factor; and

22 (7) add the products obtained under (6). The amount of the sum is
23 the amount of payment the school district is entitled to receive from the
24 school district capital improvements fund in the school year.

25 (c) The state board of education shall certify to the director of
26 accounts and reports the entitlements of school districts determined under
27 the provisions of subsection (b), and an amount equal thereto shall be
28 transferred by the director from the state general fund to the school
29 district capital improvements fund for distribution to school districts. All
30 transfers made in accordance with the provisions of this subsection shall
31 be considered to be demand transfers from the state general fund, ~~except~~
32 ~~that all such transfers during the fiscal years ending June 30, 2011, and~~
33 ~~June 30, 2012, shall be considered to be revenue transfers from the state~~
34 ~~general fund.~~

35 (d) Payments from the school district capital improvements fund
36 shall be distributed to school districts at times determined by the state
37 board of education to be necessary to assist school districts in making
38 scheduled payments pursuant to contractual bond obligations. The state
39 board of education shall certify to the director of accounts and reports the
40 amount due each school district entitled to payment from the fund, and
41 the director of accounts and reports shall draw a warrant on the state
42 treasurer payable to the treasurer of the school district. Upon receipt of
43 the warrant, the treasurer of the school district shall credit the amount

1 thereof to the bond and interest fund of the school district to be used for
2 the purposes of such fund.

3 (e) The provisions of this section apply only to contractual
4 obligations incurred by school districts pursuant to general obligation
5 bonds issued upon approval of a majority of the qualified electors of the
6 school district voting at an election upon the question of the issuance of
7 such bonds.

8 (f) Amounts transferred to the capital improvements fund of a school
9 district as authorized by K.S.A. 72-6433, and amendments thereto, shall
10 not be included in the computation when determining the amount of state
11 aid to which a district is entitled to receive under this section.

12 New Sec. 3. (a) As used in this section:

13 (1) "School district" or "district" means a school district having less
14 than 200 square miles in area and an enrollment of less than 400.

15 (2) "Joint committee" means the joint committee on state building
16 construction.

17 (b) The board of education of any school district shall not authorize
18 the issuance of any bonds for the construction of a new building without
19 having first advised and consulted with the joint committee. Prior to the
20 date of the hearing of the joint committee at which the board is scheduled
21 to appear, the board shall submit any information requested by the joint
22 committee. Following such hearing, the committee shall make a
23 recommendation on the advisability of the proposed issuance of bonds. A
24 copy of the committee's recommendation shall be provided to the school
25 district and to the state board of education within 15 days of the date of
26 the hearing.

27 (c) If the joint committee recommends against the issuance of any
28 bonds for the construction of a new building and the district issues bonds
29 for such construction, the district shall not be entitled to, and shall not
30 receive, state aid for such bonds under K.S.A. 75- 2319, and amendments
31 thereto.

32 (d) The provisions of this section shall not apply to any district which
33 is not entitled to state aid under K.S.A. 75-2319, and amendments
34 thereto.

35 Sec. 4. K.S.A. 2010 Supp. 72-8814 and 75-2319 are hereby
36 repealed.

37 Sec. 5. This act shall take effect and be in force from and after its
38 publication in the statute book.

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