

As Amended by Senate Committee

Session of 2019

SENATE BILL No. 190

By Committee on Ways and Means

2-14

1 AN ACT concerning transportation; relating to ~~new road construction~~
2 ***expansion or modernization of roads*** or bridge improvement plans;
3 authorizing transfers from the state general fund to the local ad valorem
4 tax reduction fund and county and city revenue sharing fund if certain
5 conditions are met; amending K.S.A. 2018 Supp. 79-2959 and 79-2964
6 and repealing the existing sections.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 2018 Supp. 79-2959 is hereby amended to read as
10 follows: 79-2959. (a) There is hereby created the local ad valorem tax
11 reduction fund. All moneys transferred or credited to such fund under the
12 provisions of this act or any other law shall be apportioned and distributed
13 in the manner provided herein.

14 (b) On January 15 and on July 15 of each year, the director of
15 accounts and reports shall make transfers in equal amounts which in the
16 aggregate equal 3.63% of the total retail sales and compensating taxes
17 credited to the state general fund pursuant to articles 36 and 37 of chapter
18 79 of *the* Kansas Statutes Annotated, and amendments thereto, during the
19 preceding calendar year from the state general fund to the local ad valorem
20 tax reduction fund, except that *subject to the provisions of subsection (d)*:
21 (1) No moneys shall be transferred from the state general fund to the local
22 ad valorem tax reduction fund during state fiscal years ~~2018, 2019 and~~
23 ~~2020 through 2030~~ **2025**; and (2) the amount of the transfer on each such
24 date shall be \$27,000,000 during fiscal year ~~2021-2031~~ **2026** and all fiscal
25 years thereafter. All such transfers are subject to reduction under K.S.A.
26 75-6704, and amendments thereto. All transfers made in accordance with
27 the provisions of this section shall be considered to be demand transfers
28 from the state general fund, ~~except that all such transfers during fiscal year~~
29 ~~2021 shall be considered to be revenue transfers from the state general~~
30 ~~fund.~~

31 (c) The state treasurer shall apportion and pay the amounts transferred
32 under subsection (b) to the several county treasurers on January 15 and on
33 July 15 in each year as follows: (1) Sixty-five percent of the amount to be
34 distributed shall be apportioned on the basis of the population figures of
35 the counties certified to the secretary of state pursuant to K.S.A. 11-201,
36 and amendments thereto, on July 1 of the preceding year; and (2) thirty-

1 five percent of such amount shall be apportioned on the basis of the
2 equalized assessed tangible valuations on the tax rolls of the counties on
3 November 1 of the preceding year as certified by the director of property
4 valuation.

5 ~~(d) During fiscal years 2020 through 2030, any county may submit to~~
6 ~~the secretary of transportation a plan for new construction of a road or~~
7 ~~improvement of a bridge in such county. If the secretary approves such~~
8 ~~plan, the county shall receive such county's share of the local ad valorem~~
9 ~~tax reduction fund during the fiscal years that it takes to complete the~~
10 ~~construction or improvement, as determined by the secretary. On June 15~~
11 ~~of fiscal years 2020 through 2030, the secretary shall certify to the~~
12 ~~director of accounts and reports the aggregate amount of moneys~~
13 ~~approved by the secretary from such plans. Upon receipt of such amount,~~
14 ~~the director of accounts and reports shall transfer such amount from the~~
15 ~~state general fund to the local ad valorem tax reduction fund. The~~
16 ~~secretary shall transmit a copy of each such certification to the director of~~
17 ~~the budget and the director of legislative research. During fiscal years~~
18 ~~2020 through 2025, any county may submit to the secretary of~~
19 ~~transportation a plan for expansion or modernization of a road or~~
20 ~~improvement of a bridge in a city or cities in such county or such county~~
21 ~~or counties. Such plan shall include a local match from other moneys of~~
22 ~~the participating cities or counties equal to or greater than 20% of the~~
23 ~~total cost of the plan. If the secretary approves such plan, the city or~~
24 ~~county shall receive such city's or county's share of the local ad valorem~~
25 ~~tax reduction fund during the fiscal years of the life of the construction~~
26 ~~phase of the expansion, modernization or improvement project, as~~
27 ~~determined by the secretary. On June 15 of fiscal years 2020 through~~
28 ~~2025, the secretary shall certify to the director of accounts and reports~~
29 ~~the aggregate amount of moneys approved by the secretary from such~~
30 ~~plans. Upon receipt of such amount, the director of accounts and reports~~
31 ~~shall transfer such amount from the state general fund to the local ad~~
32 ~~valorem tax reduction fund to be distributed to the participating city or~~
33 ~~county. The secretary shall transmit a copy of each such certification to~~
34 ~~the director of the budget and the director of legislative research. Cities~~
35 ~~within a county and adjacent counties may enter into an agreement with~~
36 ~~the county to implement an expansion, modernization or improvement~~
37 ~~project. Moneys distributed pursuant to this subsection shall only be~~
38 ~~used for the expansion, modernization or improvement project. Nothing~~
39 ~~in this subsection shall authorize a participating city or county to receive~~
40 ~~any share of the local ad valorem tax reduction fund: (1) That would be~~
41 ~~attributed to another local unit of government other than the cities or~~
42 ~~counties; (2) in excess of the total cost of the expansion, modernization~~
43 ~~or improvement project; or (3) if the proposed expansion, modernization~~

1 *or improvement project is included in the 2020 transportation planning*
2 *program.*

3 Sec. 2. K.S.A. 2018 Supp. 79-2964 is hereby amended to read as
4 follows: 79-2964. (a) There is hereby created the county and city revenue
5 sharing fund. All moneys transferred or credited to such fund under the
6 provisions of this act or any other law shall be allocated and distributed in
7 the manner provided herein. The director of accounts and reports in each
8 year on July 15 and December 10, shall make transfers in equal amounts
9 which in the aggregate equal 2.823% of the total retail sales and
10 compensating taxes credited to the state general fund pursuant to articles
11 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and
12 amendments thereto, during the preceding calendar year from the state
13 general fund to the county and city revenue sharing fund, except that
14 *subject to the provisions of subsection (b)*, no moneys shall be transferred
15 from the state general fund to the county and city revenue sharing fund
16 during state fiscal years ~~2018, 2019, and 2020 through 2030~~ 2025. All
17 such transfers are subject to reduction under K.S.A. 75-6704, and
18 amendments thereto. All transfers made in accordance with the provisions
19 of this section shall be considered to be demand transfers from the state
20 general fund.

21 ~~(b) During fiscal years 2020 through 2030, any city or county may~~
22 ~~submit to the secretary of transportation a plan for new construction of a~~
23 ~~road or improvement of a bridge in such city or county. If the secretary~~
24 ~~approves such plan, the city or county shall receive such city's or county's~~
25 ~~share of the county and city revenue sharing fund during the fiscal years~~
26 ~~that it takes to complete the construction or improvement, as determined~~
27 ~~by the secretary. On June 15 of fiscal years 2020 through 2030, the~~
28 ~~secretary shall certify to the director of accounts and reports the~~
29 ~~aggregate amount of moneys approved by the secretary from such plans.~~
30 ~~Upon receipt of such amount, the director of accounts and reports shall~~
31 ~~transfer such amount from the state general fund to the county and city~~
32 ~~revenue sharing fund. The secretary shall transmit a copy of each such~~
33 ~~certification to the director of the budget and the director of legislative~~
34 ~~research~~ During fiscal years 2020 through 2025, any county may submit
35 to the secretary of transportation a plan for expansion or modernization
36 of a road or improvement of a bridge in a city or cities in such county or
37 such county or counties. Such plan shall include a local match from
38 other moneys of the participating cities or counties equal to or greater
39 than 20% of the total cost of the plan. If the secretary approves such
40 plan, the city or county shall receive such city's or county's share of the
41 county and city revenue sharing fund during the fiscal years of the life
42 of the construction phase of the expansion, modernization or
43 improvement project, as determined by the secretary. On June 15 of

1 *fiscal years 2020 through 2025, the secretary shall certify to the director*
2 *of accounts and reports the aggregate amount of moneys approved by*
3 *the secretary from such plans. Upon receipt of such amount, the director*
4 *of accounts and reports shall transfer such amount from the state*
5 *general fund to the county and city revenue sharing fund to be*
6 *distributed to the participating city or county. The secretary shall*
7 *transmit a copy of each such certification to the director of the budget*
8 *and the director of legislative research. Cities within a county and*
9 *adjacent counties may enter into an agreement with the county to*
10 *implement an expansion, modernization or improvement project.*
11 *Moneys distributed pursuant to this subsection shall only be used for the*
12 *expansion, modernization or improvement project. Nothing in this*
13 *subsection shall authorize a participating city or county to receive any*
14 *share of the county and city revenue sharing fund: (1) That would be*
15 *attributed to another local unit of government other than the cities or*
16 *counties; (2) in excess of the total cost of the expansion, modernization*
17 *or improvement project; or (3) if the proposed expansion, modernization*
18 *or improvement project is included in the 2020 transportation planning*
19 *program.*

20 Sec. 3. K.S.A. 2018 Supp. 79-2959 and 79-2964 are hereby repealed.

21 Sec. 4. This act shall take effect and be in force from and after its
22 publication in the statute book.