AN ACT concerning school district transportation funding; eliminating state highway fund transfers; requiring state general fund moneys to fund school district transportation weightings; making and concerning appropriations for the fiscal year ending June 30, 2019, for the department of education and the department of transportation.

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

Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

State foundation aid (652-00-1000-0840) ................................ $22,500,000

Provided, however, That if the director of accounts and reports made the transfer of $11,250,000 that was authorized to be made on January 1, 2019, by section 76(k) of chapter 109 of the 2018 Session Laws of Kansas from the state highway fund (276-00-4100-4100) of the department of transportation to the general state aid transportation weighting – state highway fund (652-00-2222-2222) of the department of education, then on the effective date of this act, of the $22,500,000 appropriated for the above agency for the fiscal year ending June 30, 2019, by section 1(a) from the state general fund in the state foundation aid account, the sum of $11,250,000 is hereby lapsed: Provided further, That if the director of accounts and reports made the transfer of $11,250,000 that was authorized to be made on January 1, 2019, and April 1, 2019, by section 76(k) of chapter 109 of the 2018 Session Laws of Kansas from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund (652-00-2222-2222) of the department of education, then on the effective date of this act, the $22,500,000 appropriated for the above agency for the fiscal year ending June 30, 2019, by section 1(a) from the state general fund in the state foundation aid account, is hereby lapsed.

(b) The director of accounts and reports shall not make the transfer of $11,250,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the general state aid transportation weighting – state highway fund (652-00-2222-2222) of the department of education that was authorized to be made on January 1, 2019, and April 1,
2019, pursuant to the provisions of section 76(k) of chapter 109 of the 2018 Session Laws of Kansas and, upon the effective date of this act, the provisions of section 76(k) of chapter 109 of the 2018 Session Laws of Kansas that provide for such transfers are hereby declared to be null and void and shall have no force and effect.

Sec. 2.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer $45,000,000 from the state general fund to the state highway fund (276-00-4100-4100) of the department of transportation: Provided, however,

That if the director of accounts and reports did not make the transfer of $11,250,000 that was authorized to be made on January 1, 2019, and April 1, 2019, by section 76(k) of chapter 109 of the 2018 Session Laws of Kansas from the state highway fund (276-00-4100-4100) of the department of transportation to the general state aid transportation weighting – state highway fund (652-00-2222-2222) of the department of education, then the amount of $45,000,000 authorized to be transferred by this subsection is hereby decreased to $22,500,000: Provided further, That if the director of accounts and reports did make the transfer of $11,250,000 that was authorized to be made on January 1, 2019, by section 76(k) of chapter 109 of the 2018 Session Laws of Kansas from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education and did not make the transfer of $11,250,000 that was authorized to be made on April 1, 2019, by section 76(k) of chapter 109 of the 2018 Session Laws of Kansas from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education, then the amount of $45,000,000 authorized to be transferred by this subsection is hereby decreased to $33,750,000.

Sec. 3. Notwithstanding any other provision of law, the costs associated with the transportation weightings of school districts computed under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, shall be funded from the state general fund. No appropriations or transfers shall be made during any fiscal year from the state highway fund to the department of education to pay for the costs associated with such transportation weightings.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.