

As Amended by House Committee

Session of 2011

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
7 as follows: 72-8814. (a) There is hereby established in the state treasury
8 the school district capital outlay state aid fund. Such fund shall consist
9 of all amounts transferred thereto under the provisions of subsection
10 (c).

11 (b) In each school year, each school district which levies a tax
12 pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be
13 entitled to receive payment from the school district capital outlay state
14 aid fund in an amount determined by the state board of education as
15 provided in this subsection. The state board of 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
18 the nearest \$1,000. The rounded amount is the AVPP of a school district
19 for 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
24 intervals from the point of beginning to and including an amount that is
25 equal to the amount of the AVPP of the school district with the highest
26 AVPP of all school districts and shall range downward in equal \$1,000
27 intervals from the point of beginning to and including an amount that is
28 equal to the amount of the AVPP of the school district with the lowest
29 AVPP of all 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
32 of the median AVPP shown on the schedule, decreasing the state aid
33 computation percentage assigned to the amount of the median AVPP by

1 one percentage point for each \$1,000 interval above the amount of the
2 median AVPP, and increasing the state aid computation percentage
3 assigned to the amount of the median AVPP by one percentage point for
4 each \$1,000 interval below the amount of the median AVPP. Except as
5 provided by K.S.A. 2010 Supp. 72-8814b, and amendments thereto, the
6 state aid percentage factor of a school district is the percentage assigned
7 to the schedule amount that is equal to the amount of the AVPP of the
8 school district, except that the state aid percentage factor of a school
9 district shall not exceed 100%. ~~The state aid computation percentage is~~
10 ~~25%;~~

11 *(B) (i) For levies imposed by a school district pursuant to a*
12 *resolution adopted and published under this section prior to July 1,*
13 *2011, and such resolution either was not protested or that it was*
14 *protested and an election has been held prior to July 1, 2011, the state*
15 *aid computation percentage is 25%.*

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

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

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

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

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

1 (d) Payments from the school district capital outlay state aid fund
2 shall be distributed to school districts at times determined by the state
3 board of education. The state board of education shall certify to the
4 director of accounts and reports the amount due each school district
5 entitled to payment from the fund, and the director of accounts and
6 reports shall draw a warrant on the state treasurer payable to the
7 treasurer of the school district. Upon receipt of the warrant, the
8 treasurer of the school district shall credit the amount thereof to the
9 capital outlay fund of the school district to be used for the purposes of
10 such fund.

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

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

19 (b) Subject to the provisions of subsection (f), in each school year,
20 each school district which is obligated to make payments from its
21 capital improvements fund shall be entitled to receive payment from
22 the school district capital improvements fund in an amount determined
23 by the state board of education as provided in this subsection. The state
24 board of education shall:

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

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

30 (3) prepare a schedule of dollar amounts using the amount of the
31 median AVPP of all school districts as the point of beginning. The
32 schedule of dollar amounts shall range upward in equal \$1,000
33 intervals from the point of beginning to and including an amount that is
34 equal to the amount of the AVPP of the school district with the highest
35 AVPP of all school districts and shall range downward in equal \$1,000
36 intervals from the point of beginning to and including an amount that is
37 equal to the amount of the AVPP of the school district with the lowest
38 AVPP of all school districts;

39 (4) (A) determine a state aid percentage factor for each school

1 district by assigning a state aid computation percentage to the amount
2 of the median AVPP shown on the schedule, decreasing the state aid
3 computation percentage assigned to the amount of the median AVPP by
4 one percentage point for each \$1,000 interval above the amount of the
5 median AVPP, and increasing the state aid computation percentage
6 assigned to the amount of the median AVPP by one percentage point for
7 each \$1,000 interval below the amount of the median AVPP. Except as
8 provided by K.S.A. 2010 Supp. 75-2319c, and amendments thereto, the
9 state aid percentage factor of a school district is the percentage assigned
10 to the schedule amount that is equal to the amount of the AVPP of the
11 school district. The state aid percentage factor of a school district shall
12 not exceed 100%. ~~The state aid computation percentage is 5% for~~
13 ~~contractual bond obligations incurred by a school district prior to the~~
14 ~~effective date of this act, and 25% for contractual bond obligations~~
15 ~~incurred by a school district on or after the effective date of this act;~~

16 (B) (i) *For contractual bond obligations incurred by a school*
17 *district prior to July 1, 1992, the state aid computation percentage is*
18 *5%.*

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

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

27 (5) determine the amount of payments in the aggregate that a
28 school district is obligated to make from its bond and interest fund and,
29 of such amount, compute the amount attributable to contractual bond
30 obligations incurred by the school district ~~prior to the effective date of~~
31 ~~this act and the amount attributable to contractual bond obligations~~
32 ~~incurred by the school district on or after the effective date of this act~~
33 *under paragraphs (4)(B)(i), (4)(B)(ii) and (4)(B)(iii) of this subsection;*

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

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

39 (c) The state board of education shall certify to the director of

1 accounts and reports the entitlements of school districts determined
2 under the provisions of subsection (b), and an amount equal thereto
3 shall be transferred by the director from the state general fund to the
4 school district capital improvements fund for distribution to school
5 districts. All transfers made in accordance with the provisions of this
6 subsection shall be considered to be demand transfers from the state
7 general fund, ~~except that all such transfers during the fiscal years~~
8 ~~ending June 30, 2011, and June 30, 2012, shall be considered to be~~
9 ~~revenue transfers from the state general fund.~~

10 (d) Payments from the school district capital improvements fund
11 shall be distributed to school districts at times determined by the state
12 board of education to be necessary to assist school districts in making
13 scheduled payments pursuant to contractual bond obligations. The state
14 board of education shall certify to the director of accounts and reports
15 the amount due each school district entitled to payment from the fund,
16 and the director of accounts and reports shall draw a warrant on the
17 state treasurer payable to the treasurer of the school district. Upon
18 receipt of the warrant, the treasurer of the school district shall credit the
19 amount thereof to the bond and interest fund of the school district to be
20 used for the purposes of such fund.

21 (e) The provisions of this section apply only to contractual
22 obligations incurred by school districts pursuant to general obligation
23 bonds issued upon approval of a majority of the qualified electors of
24 the school district voting at an election upon the question of the
25 issuance of such bonds.

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

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

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

34 (2) "Joint committee" means the joint committee on state building
35 construction.

36 (b) The board of education of any school district shall not authorize
37 the issuance of any bonds for the construction of a new building
38 without having first advised and consulted with the joint committee.
39 Prior to the date of the hearing of the joint committee at which the

1 board is scheduled to appear, the board shall submit any information
2 requested by the joint committee. Following such hearing, the
3 committee shall make a recommendation on the advisability of the
4 proposed issuance of bonds. A copy of the committee's
5 recommendation shall be provided to the school district and to the state
6 board of education within 15 days of the date of the hearing.

7 ~~(c) If the joint committee recommends against the issuance of any~~
8 ~~bonds for the construction of a new building and the district issues~~
9 ~~bonds for such construction, the district shall not be entitled to, and~~
10 ~~shall not receive, state aid for such bonds under K.S.A. 75-2319, and~~
11 ~~amendments thereto.~~

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

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

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

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