

HOUSE BILL No. 2201

By Committee on Education

2-8

1 AN ACT concerning school districts; relating to school finance; local
2 activities budget.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section:

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

8 (2) "Authorized to adopt a local activities budget" means that a
9 district has adopted a resolution under this section, and except as
10 provided by paragraph (3) of subsection (c), the resolution was approved
11 at an election thereon.

12 (b) Each school year, the board of education of any district, by
13 resolution, may adopt a local activities budget. A local activities budget
14 shall not exceed the amount determined by the state board under
15 subsection (f).

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

18 Unified School District No. _____,
19 _____ County, Kansas.

20 RESOLUTION

21 Be It Resolved that:

22 The board of education of the above-named school district
23 shall be authorized to adopt a local activities budget in each
24 school year in an amount not to exceed ____% of the local
25 activities budget computation factor for the district for the
26 current school year.

27 CERTIFICATE

28
29 This is to certify that the above resolution was duly adopted
30 by the board of education of Unified School District No. _____,
31 _____ County, Kansas, on the _____ day of
32 _____, _____.

33
34 _____
35 Clerk of the board of education.

(2) All of the blanks in the resolution shall be appropriately filled.

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

26 (3) For school year 2011-2012, a resolution adopted pursuant to this
27 section shall be effective upon adoption and shall require no other
28 procedure, authorization or approval. A resolution adopted for school year
29 2011-2012 shall have no effect in ensuing school years.

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

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

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

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

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

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

19 (1) Determine the full-time equivalent enrollment of the district in
20 the preceding school year; and (2) multiply the number determined under
21 (1) by the amount of base state aid per pupil. The product is the budget
22 computation factor of the district.

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

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

37 Sec. 2. This act shall take effect and be in force from and after its
38 publication in the statute book.