HOUSE BILL No. 2486

By Committee on Education

AN ACT concerning school districts; relating to capital improvements; creating the school district bond project review board; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section.

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

New Section 1. (a) There is hereby established the school district bond project review board. The board shall consist of the following six members:

(1) The chairperson of the committee on appropriations of the house of representatives;

(2) the chairperson of the committee on ways and means of the senate;

(3) the ranking minority member of the committee on appropriations of the house of representatives;

(4) the ranking minority member of the committee on ways and means of the senate; and

(5) two members of the state board of education appointed by the state board of education.

(b) A majority of all members of the board shall constitute a quorum. All actions of the board shall be taken by a majority of all members of the board.

(c) Members of the board shall receive expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(d) For general obligation bonds that have not been approved for issuance by an election prior to January 1, 2016, no capital improvement state aid shall be paid pursuant to K.S.A. 75-2319, and amendments thereto, unless such payment is approved by the board in accordance with this section. A school district shall submit an application to the school district bond project review board for approval of capital improvement state aid. The application shall be submitted in such form and manner as prescribed by the board, and shall include a description of the project that is the basis for the application.

(e) The board shall review all submitted applications and approve or deny the disbursement of capital improvement state aid under K.S.A. 75-2319, and amendments thereto, based on whether the project for which such bonds are to be issued is for instruction. As part of its review of an
application, the board may conduct a hearing and provide the applicant
school district an opportunity to present testimony regarding the project. In
determining whether a project is for instruction, the board shall consider
the extent to which the facility being constructed or improved is to be
utilized by the school district for direct instruction of students of the
school district.
(f) If the board approves an application, the board shall determine the
extent to which the facility being constructed or improved is to be utilized
by the school district for direct instruction of students of the school
district, and shall express such utilization as a percentage of the total
utilization of such facility. In making such determination, the board shall
only consider basic building planning and design to be a part of the facility
that is utilized for direct instruction of students. Any architectural
enhancements to a facility beyond basic building planning and design shall
not be deemed part of the facility that is utilized for direct instruction of
students. The board shall certify to the state board of education that such
application was approved and the percentage of utilization for direct
instruction.
(g) If the board denies an application, then within 15 days of such
denial, it shall send written notice of such denial to the superintendent of
such school district. The decision of the board shall be final.
(h) The provisions of this section shall not apply to any school district
which is not entitled to capital improvement state aid under K.S.A. 75-
2319, and amendments thereto.
Sec. 2. K.S.A. 2015 Supp. 75-2319 is hereby amended to read as
follows: 75-2319. (a) There is hereby established in the state treasury the
school district capital improvements fund. The fund shall consist of all
amounts transferred thereto under the provisions of subsection (c).
(b) Subject to the provisions of subsection (f), in each school year,
each school district which is obligated to make payments from its capital
improvements fund shall be entitled to receive payment from the school
district capital improvements fund in an amount determined by the state
board of education as provided in this subsection.
(1) For general obligation bonds approved for issuance at an election
held prior to July 1, 2015, the state board of education shall:
(A) Determine the amount of the assessed valuation per pupil (AVPP)
of each school district in the state and round such amount to the nearest
$1,000. The rounded amount is the AVPP of a school district for the
purposes of this subsection (b)(1);
(B) determine the median AVPP of all school districts;
(C) prepare a schedule of dollar amounts using the amount of the
median AVPP of all school districts as the point of beginning. The
schedule of dollar amounts shall range upward in equal $1,000 intervals
from the point of beginning to and including an amount that is equal to the
amount of the AVPP of the school district with the highest AVPP of all
school districts and shall range downward in equal $1,000 intervals from
the point of beginning to and including an amount that is equal to the
amount of the AVPP of the school district with the lowest AVPP of all
school districts;
(D) determine a state aid percentage factor for each school district by
assigning a state aid computation percentage to the amount of the median
AVPP shown on the schedule, decreasing the state aid computation
percentage assigned to the amount of the median AVPP by one percentage
point for each $1,000 interval above the amount of the median AVPP, and
increasing the state aid computation percentage assigned to the amount of
the median AVPP by one percentage point for each $1,000 interval below
the amount of the median AVPP. Except as provided by K.S.A. 2015 Supp.
75-2319c, and amendments thereto, the state aid percentage factor of a
school district is the percentage assigned to the schedule amount that is
equal to the amount of the AVPP of the school district. The state aid
percentage factor of a school district shall not exceed 100%. The state aid
computation percentage is 25%;
(E) determine the amount of payments that a school district is
obligated to make from its bond and interest fund attributable to general
obligation bonds approved for issuance at an election held prior to July 1,
2015; and
(F) multiply the amount determined under subsection (b)(1)(E) by the
applicable state aid percentage factor.
(2) For general obligation bonds approved for issuance at an election
held on or after July 1, 2015, but prior to January 1, 2017, the state board of education shall:
(A) Determine the amount of the AVPP of each school district in the
state and round such amount to the nearest $1,000. The rounded amount is
the AVPP of a school district for the purposes of this subsection (b)(2);
(B) prepare a schedule of dollar amounts using the amount of the
AVPP of the school district with the lowest AVPP of all school districts as
the point of beginning. The schedule of dollar amounts shall range upward
in equal $1,000 intervals from the point of beginning to and including an
amount that is equal to the amount of the AVPP of the school district with
the highest AVPP of all school districts;
(C) determine a state aid percentage factor for each school district by
assigning a state aid computation percentage to the amount of the lowest
AVPP shown on the schedule and decreasing the state aid computation
percentage assigned to the amount of the lowest AVPP by one percentage
point for each $1,000 interval above the amount of the lowest AVPP.
Except as provided by K.S.A. 2015 Supp. 75-2319c, and amendments
thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to January 1, 2017; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) Subject to the provisions of section 1, and amendments thereto, for general obligation bonds approved for issuance at an election held on or after January 1, 2016, the state board of education shall:

(A) determine the amount of the AVPP of each school district in the state and round such amount to the nearest $1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(3);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each $1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2015 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after January 1, 2016;

(E) multiply the amount determined under subsection (b)(3)(D) by the applicable state aid percentage factor; and

(F) multiply the amount calculated under subsection (b)(3)(E) by the percentage certified by the school district bond project review board pursuant to section 1, and amendments thereto, if any.

(4) The sum of the amount determined under subsection (b)(1)(F) and, the amount determined under subsection (b)(2)(E) and the amount determined under (b)(3)(F) is the amount of payment the school district is
entitled to receive from the school district capital improvements fund in
the school year.

(c) The state board of education shall certify to the director of
accounts and reports the entitlements of school districts determined under
the provisions of subsection (b), and an amount equal thereto shall be
transferred by the director from the state general fund to the school district
capital improvements fund for distribution to school districts. All transfers
made in accordance with the provisions of this subsection shall be
considered to be demand transfers from the state general fund, except that
all such transfers during the fiscal years ending June 30, 2013, June 30,
2014, June 30, 2015, and June 30, 2016, shall be considered to be revenue
transfers from the state general fund.

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

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

Sec. 3. K.S.A. 2015 Supp. 75-2319 is hereby repealed.

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