AN ACT concerning postsecondary institutions; relating to community
college satellite campuses; property taxation; amending K.S.A. 71-501,
71-501a and 71-507 and repealing the existing sections.

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

New Section 1. (a) The board of trustees of any community college is
authorized to make an annual tax levy for a period of not to exceed five
years of not to exceed two mills upon all taxable tangible property in any
county where such community college operates a satellite campus,
provided the territory to be taxed is not part of such community college's
taxing district, for the purpose of construction, reconstruction, repair,
remodeling, additions to, furnishing and equipping of community college
buildings, architectural expenses incidental thereto, and the acquisition of
real property for use as building sites or for educational programs. No levy
shall be made under this section until a resolution authorizing the levy is
passed by the board of trustees and published once each week for three
consecutive weeks in a newspaper having general circulation in the county
where such satellite campus is located. The resolution shall specify the
mill rate of the tax levy and the period of time for which the tax levy shall
be made under authority thereof. After adoption of the resolution, the levy
may be made unless, within 60 days following the last publication of the
resolution, a petition in opposition to the levy, signed by not less than 5%
of the qualified electors of the county where such satellite campus is
located, is filed with the county election officer of such county. If a
petition is filed, the levy shall not be made without the question of levying
the same having been submitted to and approved by a majority of the
qualified electors of such county voting at an election called for that
purpose or at the next general election. If a petition is filed and no election
is held, a new resolution authorizing a levy for the purposes specified in
this section may not be adopted for a period of one year after the filing of
the petition.

(b) Whenever an initial resolution has been adopted under subsection
(a) and the resolution specified a lesser mill rate than two mills, the board
of trustees of the community college may adopt a second resolution under
the same procedure as is provided in subsection (a) for the initial
resolution and, subject to the same conditions and for the same purposes as
provided in subsection (a), shall be authorized to make an additional tax
levy in an amount to be specified in the second resolution for the
remainder of the period of time specified in the initial resolution for the
making of the levy under authority thereof. Any second resolution shall be
limited in amount as specified in subsection (a), less such amount as was
authorized in the initial resolution, and not to exceed an aggregate amount
of two mills in any one year. If any such resolution is adopted and the tax
levy therein specified is authorized under the conditions specified in
subsection (a), the amount of bonds which may be issued under K.S.A. 71-
502, and amendments thereto, may be increased accordingly.

(c) The board of trustees of any community college which has made a
tax levy under this section may initiate, at any time after the final levy is
certified to the county clerk under any current authorization, procedures to
renew its authority to make a like annual tax levy in the amount, upon the
conditions, and in the manner specified in subsection (a).

(d) As used in this act "satellite campus" means a campus of a
community college that is located outside of the community college
district and in a different city or county than the original campus.

Sec. 2. K.S.A. 71-501 is hereby amended to read as follows: 71-501.
(a) The board of trustees of any community college is authorized to make
an annual tax levy for a period of not to exceed five years of not to exceed
two mills upon all taxable tangible property in the community college
district for the purpose of construction, reconstruction, repair, remodeling,
additions to, furnishing and equipping of community college buildings,
architectural expenses incidental thereto, and the acquisition of real
property for use as building sites or for educational programs. No levy
shall be made under this section until a resolution authorizing the levy is
passed by the board of trustees and published once each week for three
consecutive weeks in a newspaper having general circulation in the
community college district. The resolution shall specify the mill rate of
the tax levy and the period of time for which the tax levy shall be made
under authority thereof. After adoption of the resolution, the levy may be
made unless, within 60 days following the last publication of the
resolution, a petition in opposition to the levy, signed by not less than 5%
of the qualified electors of the community college district, is filed with the
county election officer of the county in which the main campus of the
community college is located. If a petition is filed, the levy shall not be
made without the question of levying the same having been submitted to
and approved by a majority of the qualified electors of the district voting at
an election called for that purpose or at the next general election. If a
petition is filed and no election is held, a new resolution authorizing a levy
for the purposes specified in this section may not be adopted for a period
of one year after the filing of the petition.
(b) Whenever an initial resolution has been adopted under subsection (a) and the resolution specified a lesser mill rate than two mills, the board of trustees of the community college may adopt a second resolution under the same procedure as is provided in subsection (a) for the initial resolution and, subject to the same conditions and for the same purposes as provided in subsection (a), shall be authorized to make an additional tax levy in an amount to be specified in the second resolution for the remainder of the period of time specified in the initial resolution for the making of the levy under authority thereof. Any second resolution shall be limited in amount as specified in subsection (a), less such amount as was authorized in the initial resolution, and not to exceed an aggregate amount of two mills in any one year. If any such resolution is adopted and the tax levy therein specified is authorized under the conditions specified in subsection (a), the amount of bonds which may be issued under K.S.A. 71-502, and amendments thereto, may be increased accordingly.

(c) The board of trustees of any community college which has made a tax levy under this section may initiate, at any time after the final levy is certified to the county clerk under any current authorization, procedures to renew its authority to make a like annual tax levy in the amount, upon the conditions, and in the manner specified in subsection (a).

(d) As used in this act, "unconditionally authorized to make a tax levy under authority of article 5 of chapter 71 of Kansas Statutes Annotated" means that the board of trustees of the community college has adopted a resolution under this section or section 1, and amendments thereto, has published the same, and either that such resolution was not protested or that it was protested and an election was held by which the tax levy of the community college was approved.

Sec. 3. K.S.A. 71-501a is hereby amended to read as follows: 71-501a. There is hereby established in every community college of the state a fund which shall be called the capital outlay fund, which fund shall consist of all moneys deposited therein in accordance with law. The proceeds of any tax levied under K.S.A. 71-501 or section 1, and amendments thereto, shall be deposited in the capital outlay fund of the community college making such levy. Any proceeds derived from the sale of oil or gas or other minerals by a community college may be deposited in the capital outlay fund of the community college. To the extent that any other statute conflicts with this section, this section shall control.

Sec. 4. K.S.A. 71-507 is hereby amended to read as follows: 71-507. If any community college is unconditionally authorized to make a tax levy under authority of article 5 of chapter 71 of Kansas Statutes Annotated, and amendments thereto, but the board of trustees of the community college chooses, in any year, not to make the levy, or chooses to make a lesser levy than authorized, the board of trustees may do so. If the board
of trustees of the community college refrains from making a levy in any one or more years or from making the full levy which it is authorized to make under K.S.A. 71-501 or section 1, and amendments thereto, and the resolution adopted thereunder, the authority of the community college to make a tax levy under K.S.A. 71-501 or section 1, and amendments thereto, shall not thereby be extended beyond the period of time specified in the resolution, nor shall the mill rate of the tax levy authorized for any succeeding year be increased thereby.

Sec. 5. K.S.A. 71-501, 71-501a and 71-507 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.