

HOUSE BILL No. 2570

By Committee on Vision 2020

1-28

1 AN ACT concerning property taxation; relating to technical colleges;
2 authorizing a property tax levy by the governing board thereof.

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

5 Section 1. (a) The governing board of any technical college is
6 authorized to make an annual tax levy for a period of not to exceed five
7 years of not to exceed two mills upon all taxable tangible property in the
8 home county of such technical college for the purpose of construction,
9 reconstruction, repair, remodeling, additions to, furnishing and equipping
10 of technical college buildings, architectural expenses incidental thereto,
11 and the acquisition of real property for use as building sites or for
12 educational programs. No levy shall be made under this section until a
13 resolution authorizing the levy is passed by the governing board and
14 published once each week for three consecutive weeks in a newspaper
15 having general circulation in the home county of such technical college.
16 The resolution shall specify the mill rate of the tax levy and the period of
17 time for which the tax levy shall be made under authority thereof. After
18 adoption of the resolution, the levy may be made unless, within 60 days
19 following the last publication of the resolution, a petition in opposition to
20 the levy, signed by not less than 5% of the qualified electors of the home
21 county of such technical college, is filed with the county election officer of
22 such county. If a petition is filed, the levy shall not be made without the
23 question of levying the same having been submitted to and approved by a
24 majority of the qualified electors of such county voting at an election
25 called for that purpose or at the next general election. If a petition is filed
26 and no election is held, a new resolution authorizing a levy for the
27 purposes specified in this section may not be adopted for a period of one
28 year after the filing of the petition.

29 (b) Whenever an initial resolution has been adopted under subsection
30 (a) and the resolution specified a lesser mill rate than two mills, the
31 governing board of the technical college may adopt a second resolution
32 under the same procedure as is provided in subsection (a) for the initial
33 resolution and, subject to the same conditions and for the same purposes as
34 provided in subsection (a), shall be authorized to make an additional tax
35 levy in an amount to be specified in the second resolution for the
36 remainder of the period of time specified in the initial resolution for the

1 making of the levy under authority thereof. Any second resolution shall be
2 limited in amount as specified in subsection (a), less such amount as was
3 authorized in the initial resolution, and not to exceed an aggregate amount
4 of two mills in any one year.

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

10 (d) There is hereby established in every technical college a fund
11 which shall be called the capital outlay fund, which fund shall consist of
12 all moneys deposited therein in accordance with law. The proceeds of any
13 tax levied under subsection (a) shall be deposited in the capital outlay fund
14 of the technical college making such levy. To the extent that any other
15 statute conflicts with this section, this section shall control.

16 (e) If any technical college is authorized to make a tax levy under
17 subsection (a), but the governing board of such technical college chooses,
18 in any year, not to make the levy, or chooses to make a lesser levy than
19 authorized, the governing board may do so. If the governing board refrains
20 from making a levy in any one or more years or from making the full levy
21 which it is authorized to make under subsection (a) and the resolution
22 adopted thereunder, the authority of the technical college to make a tax
23 levy shall not thereby be extended beyond the period of time specified in
24 the resolution, nor shall the mill rate of the tax levy authorized for any
25 succeeding year be increased thereby.

26 (f) As used in this section, the term "home county" means the county
27 in which the main campus of the technical college is located.

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